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The Forum

AUGUST, 1901.

THE FAILURE OF THE TWO-PARTY SYSTEM.

SINCE the demoralizing defeat of the Bryanized Democratic party at the last election, many former Democrats, notably certain former leaders of the Cleveland type, have persistently urged that the party should "get together," or be organized, along the old conservative lines. In all this contention, singularly enough, it seems to be assumed that it is not only practicable, but desirable, for the so-called Cleveland Democrats and those who espouse the present Bryan organization to work together in one party. It seems to me that this proposition is neither practicable nor desirable; or, at any rate, that it would not be desirable, even if it were, at present, approximately practicable. In short, has not the bi-party system had its day, and would not a nominal or attempted continuance of it be illogical and unwholesome? Have not the divisions between hard-and-fast Republicanism, conservative Democracy, and Populism been sufficiently persistent and marked to leave no doubt as to the correct answer to this question?

The two great English-speaking nations and the self-governing English colonies have adhered, substantially, to the bi-party system, while in Germany and France there are many parties, groups, or wings under distinct names. In the present German Reichstag there are about a dozen of these party groups with a membership varying from only three or four to one hundred. The members of each of these parties or groups are elected on account of a few specific principles which they and their supporters regard as of paramount importance. They are not called upon to stultify themselves by subscribing to principles which they do

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not believe in, as is the case under the omnibus party system of this country and England. Our system puts a blanket mortgage on truthfulness and on independent thought and action.

How vividly one still remembers the immoral spectacle of the delegates from the prairie and mining States going to the St. Louis convention, in 1896, shouting for silver, and coming back shouting for gold! The only explanation they offered, or could offer, for their absurd self-contradiction was the stupid shibboleth, "We are Republicans." Before the Chicago convention prescribed free silver as a panacea for the business depression which had clouded its economic vision and goaded it into a desperate temper, a large number of Democrats were stoutly opposed to such a policy, and believed it to be immoral, inexpedient as a party measure, and menacing to business interests. Yet, after the convention had adopted the silver policy, most of the members of the party fell into line and declared that it was good. And, though the silver question became the vital issue of the campaign, many thousands of gold standard Democrats defended it, and excused their self-stultification on the ground that the declaration of the convention was party law, and that they were therefore bound by it. Such pernicious spectacles are an inevitable result of the bi-party system, under present conditions. In 1896 we heard for the first time, I think, the definite assertion of the dogma that men are made for parties, and not parties for men.

But for the assumption, based on conditions which had long ceased to exist, that it was practicable and essential to maintain the two-party system, instead of the fiasco and false pretence of the organization which resulted from the Indianapolis convention, there would have been formed there, in good faith, a party composed of "sound money" Democrats — excepting those who were prepared to make the movement a mere adjunct of the Republican party — and large numbers of disaffected Republicans who have stayed with their party only because there was nowhere else that they could consistently go, or no other organization with which they could efficiently work. The party alignment was even more incongruous in 1900 than in 1896. If it had not been for the preconception that there can be only two parties under our system of government, the organization begun at Indianapolis would have grown so that it might have been a formidable opponent of the Republican party at the late national election, and would have had a good chance for success at the congressional elections in 1902.

If anyone thinks this statement extravagant, let him recall the crisis of the Kansas City convention, when Mr. Bryan insisted that it should

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declare for free silver, not only against its judgment as to expediency, but obviously, I think, against the belief of a majority of its members. This is the first time that a great council of freemen deliberately lied by resolution; and the stupid immorality of that act would in itself have been sufficient to seal the party's fate in the contest. But for the two-party bias there would have been a refuge in an organization of strength and prestige to which all but the Populistic element represented at the Kansas City convention would have fled. The numbers of Republicans who would have sought the same refuge from the general imperialistic policy and from the extravagance and attendant corruption of Republicanism would have been formidable, and, not unlikely, decisive of the result of the contest. For it was fear of Bryanism and not devotion to Republicanism which made the Waterloo of 1900. Bryanism would then have stood for what it legitimately is and means, namely, Populism.

This rational division would have cleared the political atmosphere from demoralizing confusion, and would have averted the disorganization and spirit of hopelessness which possess all opposition elements. The conservative Democrats and the Populists would certainly have controlled the House of Representatives. They would have acted together on the Cuban and Philippine policy, against the ship subsidy bill, in favor of checking Republican extravagance, in favor of reforming tariffs and regulating corporations, and, in general, along anti-monopoly and economical lines, in accordance with the real predominating public sentiment. The Democrats proper would have stood with the Republicans against disturbing the money standard, and against any violent change in economic policies. Thus, without inconsistency or self-stultification, the two opposition parties would have been able to check the now unbridled faults of Republicanism, and, in some measure, beneficent and progressive policies would have been forwarded.

If there had been created a well-organized party of conservatively inclined Democrats, it would stand in the campaign of 1902 for a policy advocating the conciliation of the Philippines and probably pointing clearly toward the ultimate autonomy of those islands; for keeping absolutely our pledges to Cuba; for the traditional Democratic economy and honesty in administration; and for taking away from commercial combinations of a monopolistic character all such special props and privileges as protective and discriminating customs and railway tariffs. Such a party would at once cause, and profit by, a formidable division of the Republican party. The third, or Populistic, party, whether led by Mr.

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Bryan or not, would comprise believers in the immediate public ownership of telegraphs and railways, and in doing away with the national banks and substituting for their notes currency issued directly by the government. In general, it would be an "advanced," but not a socialistic, party. Such a party, while it should not be put in full power now, would have a distinct place and mission, and would exert a wholesome influence. These two parties would be able to throw the election of the next President into the House of Representatives, which they would certainly control — unless, indeed, the Democrats should elect their candidate for President. Thus, the choice of an anti-Republican for President would be assured. The Executive and the Popular House would stand for all that conservative Democrats believe in, excepting the present money policy, which could not be disturbed. Under such an arrangement the Senate would, before long, become anti-Republican, and it would be at once brought by moral force to yield in part to the majority as represented in the Lower House.

Of the 397 members of the German Reichstag about 80 are classed as Conservatives, 102 as Clericals, about 100 as Liberals, and 57 as Social Democrats. While the Clericals stand, primarily, for the advancement of the interests of the Roman Catholic Church, on most of the other important questions they are naturally allied with the Conservatives; and the Agrarians, who stand for the interests of the landowners, are found in these two parties. While the Conservatives, including the Clericals, are the most numerous division of the Reichstag, they are less than a majority. Though the platform of the Social Democrats demands the public control and ownership of all property and industries, they do not push this radical principle forward at all, but strive for such reform measures as would improve the condition of the masses under the present individualistic system. It is curious to note that most of the reforms demanded in the platform of this radical party are commonly accepted and established principles in this country, and have long been incorporated in our laws and institutions. Among them are: (1) universal suffrage with a secret ballot; (2) decision by the people as to peace or war; (3) militia in preference to a standing army; (4) freedom of the press, of speech, and of assembly; (5) popular education by the state, though to a more radical degree than in the United States; (6) declaration that religion is a private matter; (7) shortening of working-days and abolition of child labor, etc.

The Liberals, Social Democrats, and all minor opponents of the Conservatives may combine to carry measures on which all agree, without

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stultification or demoralization of their party integrity or organization; and this is the common method of procedure in the German Parliament. Theoretically this method or system is not as efficient as the two-party system of England and our own country. In fact, however, little seems to be lost in point of efficiency under the group or many-party system, as compared with the two-party system, while a great deal is gained in honesty and consistency.

Since the defeat of Gladstone's home rule bill by the House of Lords in 1886, the English system of government, which presupposes two effective parties, has been dormant or inert. Though English politicians and writers are still disputing over the question why the Liberal party has never had any effective strength since that time, the reason is doubtless to be found in the loss of public confidence and in the demoralization which resulted from Gladstone's impracticable measure for Irish autonomy. If the Liberal element in English politics, that is, the element opposed in a general way to the ultra-Conservative or reactionary Tory element, had not been restrained by the two-party habit, there might have been formed, in the early eighties, out of the opposition element, two parties of Liberal proclivities, differing in the main in their degree of progressiveness or radicalism. These would have found a common rallying-point as opponents of the later Tory jingo colonial policy; and the suspension, if not the breakdown, of the English system of party government would have been averted. In particular, the united opposition of these two anti-Tory parties to the course which precipitated the unnecessary, indefensible, and calamitous Boer war would have been able to prevent it.

It is true that no other system is so efficient in carrying out specific and positive public sentiment, that is, the commands of the majority, as a two-party plan, provided, however, that the parties are nicely balanced as to strength and homogeneous in composition. But the lack of these conditions has demoralized, if not destroyed, the much-vaunted two-party government in England; and, in regard to carrying out the expressed orders of the majority, it has been a delusion and a snare in the United States. From 1874 to 1894 the country was Democratic, taking the all but uniform majorities in the popular House of Congress as a test.

This test of twenty years of time and ten general elections is manifestly conclusive. Of the ten Congresses chosen during this period the Republicans controlled but two — in the Lower House — which were gained in the presidential years of 1880 and 1888. The Republicans were able to gain control of the House in 1894, and of all branches of

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the government in 1896, for two reasons, either of which would have been sufficient to bring about the change. The first reason was that economic storm conditions which had been developing for many years happened to be precipitated into a panic while the Democrats were in power; and it is a well-known phenomenon that such calamities are always charged against the political powers that be, regardless of justice. The second reason was that magnetic healers, who always have their day in such circumstances, were able to persuade the excited and restive majority of the Democratic organization that nostrums were efficacious remedies for the economic disease in question. On account of this opportunism, which, it should be said, was also a manifestation of an undercurrent of genuine anti-monopoly sentiment, Republicans have easily held complete control ever since. But it is doubtful whether the country has been Republican in regard to positive political principles since 1874. It has been merely anti-Democratic for the reasons given. But during the twenty years in which the people persistently endorsed Democratic principles and policies, there was only a single opportunity for the Democratic party to execute the popular commission, and that was in the early part of Cleveland's second administration. During all the rest of the long period either the Executive or the Senate or both were hostile to the Popular House.

It is not irrelevant to remark that under the only logical form of modern parliamentary government, namely, the Cabinet or responsible system, the principles and reforms which the majority adopted and ordered by the election of successive Democratic Congresses would have been executed very soon after they were first so adopted and ordered. However, the intermixture of tariff reform and free silver sentiment in both of the great parties was no doubt responsible for the fatuous failure of the Democracy to carry out its mission of tariff and other reforms when at last it had the chance in a contemporaneous Democratic Executive and Congress. Under the group or many-party system, tariff reformers of all parties or groups might have consistently united for the single purpose of reforming the tariff, and it seems fair to believe that they would have done so. Thus, a fair test of this great reform would have been accomplished under normal business conditions before the panic destroyed its chance of vindicating itself or winning popular favor. This much, at least, may be confidently averred: there could be no stronger proof or more vivid illustration of inefficiency and failure to carry out the popular will under our present system than was afforded by the experience of the twenty years in question.

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Complaint of the overweening power of the executive at the expense of the legislative arm of the government has grown apace. It is charged that, with the powerful influence of official patronage now at his command, the President compels the Congress to abdicate its functions at his will. The Bacon resolution, for example, which would have reversed the Philippine policy, was only defeated by the casting vote of the Vice-President, while but for the tremendous potentiality of executive official patronage the real sentiment of the Senate and of the country might have been expressed and adopted.

Under the natural evolution of parliamentary government in England, executive interference with the power of the Parliament has been by this time abolished. In France and other European countries which have the Cabinet form of government a like repression of the executive has been virtually accomplished. Our Constitution, having been cast in a written mould before modern parliamentary government was developed, and being in practice as unchangeable as the laws of the Medes and Persians, has perpetuated the ancient and out-of-date enormous powers it originally gave to our "emperor." For our Constitution has not been amended since 1803, except in relation to the moral and emotional question of African slavery; while the formation of European constitutions has been of comparatively recent date. Under the two-party system the choice of the executive, and so the whole policy of the government during an entire presidential term, may again and again turn upon some temporary question which excites the fear of the voters, such as the silver question.

The only way open by which we may return to a government by the people through their representatives, or rather the only way for us to reach for the first time such a government, from which we are separated by a hundred years of arrested constitutional development, seems to be by throwing the choice of the President as often as possible into the House of Representatives. The Executive would then be in touch with the direct representatives of the people, and would coöperate with them in carrying out their expressed wishes as to leading issues at least. To be abreast of modern political progress we ought to be able to make the executive the servant of the legislative department, as in all European governments except Germany, and in Australia and Canada; but short of that our Presidents should be confined as strictly as possible within their constitutional province; and their tendency to procure or obstruct legislation by the influence of official patronage or by other methods should be checked.

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The two-party system is more practicable in England than in this country, because there the principle of the public ownership of public utilities, such as telegraphs, street railways, etc., is established; and the only question now is how far public ownership and operation shall enter the field of what has heretofore been conceded to be properly private enterprise. In this country, on the other hand, this great question of the control or ownership of a certain class of industries is still under discussion; and members of the two great parties are not divided with reference to it along party lines. Under the group or poly-party system it would be practicable for members of the present parties to ally themselves with a special public ownership or anti-corporation party or group with reference to that particular question, while they still adhered to their old party so far as its general principles or traditions were concerned.

For at least twenty years Republicans and Democrats have been inextricably mixed as to the silver question, and, in a lesser degree, as to the tariff question. This fact has seriously affected the *morale* of the Republican party, while it has utterly demoralized the Democratic party. There should long ago have been in the Congress two groups, one distinctively pro-silver and the other distinctively for tariff reform, whose members would have made those questions paramount, while as to other questions they might have remained conservative or radical, Republican or Democratic. Ever since the time of the leadership of Samuel J. Randall, the Democratic party, though most of the time in numbers the ruling party of the nation, has been impotent by reason of the outgrown policy which attempts to confine everybody within the hard-and-fast lines of one or the other of two parties. For many years before the leaven of the folly had worked its present utter demoralization, this party exerted a powerful and wholesome influence, though only in a negative way. It is chiefly because it has been a heterogeneous and incongruous combination, pretending to be homogeneous, that it has won the reputation of being a do-nothing party.

Able writers have recently been taking much pains to show that the Democratic party, because it has ideals and is devoted to principles, is inefficient when in power, and is only useful through its moral influence as a check to corruption and bad measures and an inspiration to higher aims and standards. On the other hand, Republicans accomplish practical purposes because they have no ideals, but are possessed by an opportunism which subordinates principles to expediency, and improves each shining hour to gain its ends. While there is some truth in this statement of the practical difference between the two parties, it is

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greatly overstated, and the asserted reason for it is fallacious. It is true that the very concept of Democracy involves devotion to altruistic ideals and principles, not, however, of a fanciful or impracticable sort, but quite the contrary. In the single opportunity which it has had for action in half a century, the Democratic party, thanks to the absurd working of our Constitution, as pointed out above, was impotent, indeed, not, however, by reason of any inefficiency or impotency inherent in a democracy, but on account of the incongruous and heterogeneous composition of this particular organization.

The Randall wing, which by the test of the party's main profession of faith was not Democratic at all, was yet, for years, strong enough to balk the party's chief practical purpose, and to weaken its moral strength. From 1878 to the formal and logical disruption in 1896, the attempt of the silver and anti-silver wings of the party to work together was more absurd and impracticable than the attempt of the two tariff wings to work together. During the time in question, moreover, there was a difference between the anti-monopoly or advanced element and the monopoly or reactionary element quite as real and distinct, if not as obvious, as the differences in relation to the tariff and silver. The principal leaders of the party in the Northeastern States were of the capitalistic class until the revolution of 1896. That revolution was, in fact, largely caused by opposition to the monopolistic spirit and tendency of the Cleveland régime; and the silver crusade served, in part, as the occasion and medium of its manifestation. The later career of the Democratic party, instead of supporting the far-fetched theory that a party devoted to principles and inclined to reforms is inefficient, rather illustrates the trite truism that a party which is not homogeneous and compact in its composition is weak and unable to achieve practical success — in short, that a house divided against itself will fall.

After the close of the Civil War the Republican party entered with its inherited military discipline and aggressiveness upon what has been, judged from a very practical and short-sighted view, a remarkably successful career. Its spirit of aggression was stimulated by the lust of power and the attendant spoils of office, then unrestrained and unlimited either by the spirit of fairness, by regard for public decency, or by the letter of a civil service code based upon merit. To defend the possession of this power and these spoils against inevitable reaction and opposition in the North, the utterly unfit negroes were enfranchised so as to overwhelm the comparatively intelligent white voters. Overreaching Republicanism thus unwittingly created the "solid South" for its oppo-

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nents, and thus in 1874 gave the Democratic party the popular ascendency which, as we have seen, it held for twenty years; though under our obstructive Constitution the Republicans were still left in possession of the government and the spoils for three-fifths of the time. They increased these perquisites by voting themselves the additional subsidy of a high protective tariff. The Republican party was thus kept intact chiefly by the "cohesive power of public plunder;" the strong anti-tariff and anti-monopoly sentiment of the Western States yielding in the main to its spell. Though there was a considerable and genuine sentiment on the part of Democrats of the great Northeastern States in favor of restoring home rule to the South, yet, aside from this, the party affiliation between the solid South and the Democratic States of the North was unnatural and in many respects incongruous.

The demonstration of this proposition came at the first opportunity, namely, when for the first time the Democrats, during Cleveland's second administration, came into control of the legislative and executive power — that is, of the power to act. President McKinley, shrewdly enumerating in his recent speech at New Orleans the interests and beliefs common to the South and to the Republicans of the North, observed that while he was a member of the Ways and Means Committee of the House of Representatives, the Republican demand for protection for Northern manufacturers was matched by the appetite of Southern members for a sugar tariff. This reminder brought cynical smiles to the faces of those Northern Democrats, who in the enthusiasm of youth, some thirty years ago, in a political way pledged "their lives, their fortunes, and their sacred honor" to the cause of redeeming the South from carpet-bag rule and ruin; and it called to mind President Cleveland's bitter letter written to Mr. Catchings, when he came to realize that, owing largely to the "communism of pelf," the boon of home rule which Northern Democratic self-sacrifice had secured for that section had been rewarded by the betrayal of the struggle of a generation in the cause of tariff reform. The humiliating and disastrous outcome of this heterogeneity of the Democratic party will not soon be forgotten; nor is it possible to calculate the harm done to the country in thus being left under the party government system but without an opposition party of solidarity or strength enough to challenge seriously the policies or the excesses of the party in power.

In refutation of the contention that the Democratic party has been inefficient in comparison with the opportunist Republican party, because it has been devoted to ideals, theories, and principles, we have but to call to mind the tremendous strength and consistency with which it pressed

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its traditional principle or ideal of economical and honest administration, and, considering the formidable material odds against it, the wonderful victories it won by the power of that devotion under Tilden and Cleveland. Nor should we forget its splendid practical victories in forcing the administration of Mr. Hayes to adopt its policy of home rule and no military interference in the South, or the practical fact of the civil service reform which it forced a hostile Republican administration to adopt. The weakness of the Democratic party in other respects, during its brief period of power, lay in the fact that it was organized upon territorial rather than economic lines, that its basis was a section rather than a sentiment of the country.

It is significant that in Mr. Bryan's home State one hears his former Democratic followers freely questioning the expediency of his further leadership of the party and the wisdom of his policies, while his Populist neighbors seem to be drawing closer to him and are increasingly warm in his defence. This country is not ripe for a Socialistic party of any practical strength or importance. The Populists who are socialistic in respect to the control and ownership of all so-called natural monopolies or public utilities, but strongly individualistic in respect to other classes of property, naturally take the place of the socialists as the advance or radical party, and they seem to regard Mr. Bryan as their natural leader. If he would but say the word which, on account of his dual function as leader of both the Democratic and Populistic parties, under their confused fusion, he has never spoken, and would declare himself in favor of "government ownership," that would at once advance him to the place of *de jure* as well as *de facto* leader of the Populist party. There would then result three well-defined parties with rational, honest, and distinct beliefs and principles, in place of the heterogeneous, crazy-quilt combinations of which all our present parties are constituted.

I do not, however, lose sight of the possibility that, under the pressure of the present acute economic conditions, large numbers of Republicans, as well as largely predominating numbers of the Democratic party, may soon be ready to adopt the strongly anti-monopolistic principles of the Populists — in the main those in relation to the public ownership of public utilities. But it is not likely, I think, that these issues will, for a long time, become so prominent outside the Populistic party as to overshadow other distinctively Democratic principles, or other principles of a large number of dissatisfied or rebellious Republicans.

ALBERT WATKINS.

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THE GOVERNMENT EXHIBIT AT BUFFALO.

At every important exposition held in this country during recent years, the United States Government has been a principal exhibitor. This policy was inaugurated at the Centennial Exhibition in Philadelphia; it was followed at New Orleans, Cincinnati, Chicago, Atlanta, Nashville, and Omaha; it is now in force at Buffalo. A large building, which is itself a part of the display, is filled with objects illustrating the work, the functions, and the resources of the Government; making for the thoughtful visitor a veritable museum of public affairs.

Why should the Government enter upon this field of activity? To gratify local pride and assist local enterprise? To supply the public with a midsummer's amusement? Large appropriations are not made by Congress for reasons such as these. At every exposition the strict constructionist grumbles, saying, "This is the last time"; but precedent rules, and the next appropriation is more easily made than the one preceding. For Omaha, $200,000; for Buffalo, $500,000; more still, probably, for the Government display at St. Louis; and so it goes. Is the expense justifiable, and, if so, on what grounds?

The welfare of a republic demands that the people shall understand and appreciate the Government which they have created. Every agency which contributes to this end deserves encouragement; every one is needed. In fact, the people know less of their Government than they should know. They have patriotic faith, but that is not enough; they have printed reports, which few read; they seek other information. Only to a limited extent does the average citizen come in personal contact with governmental agencies. He may never see a ship or a fort; taxation touches him indirectly; of all the administrative forces the post-office alone falls under the general observation. An excusable ignorance is almost universally prevalent. What should a Nebraskan know of the light-house service? What does a Vermonter see of Indian reservations? The Department of Agriculture investigates the cotton-worm in Texas, but the citizen of Oregon must pay his share of the bill. New York harbor is improved, and Kansas is taxed for it. In each case the common welfare is at stake, but how is the machinery operated? On

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this point even a member of Congress may have strangely vague ideas, applying to one executive department for information which relates to the work of another. Every administrative officer in Washington can tell of just such misconceptions.

An exhibit like that which the Government now has in place at Buffalo is a report to the people of its work. It is a report in the form of an object-lesson, which even the least-educated visitor can understand. It is more effective than the printed report, and equally legitimate as a means of disseminating information. The citizen who intelligently visits the Government Building at the Pan-American Exposition learns to appreciate the public service more highly than before, and he returns to his home a better American. The exhibit is a help to patriotism, a stimulus to national pride. Comparatively few of our people can ever visit Washington; but even there, at the very seat of Government, no such summary of its work can be found. There everything is scattered; at Buffalo it is condensed, prepared especially for exhibition, and labelled. Some things, like the work of the life-saving service and the coining of money, cannot be seen in Washington at all. At the Pan-American Exposition they are admirably represented; and attendants to explain the work are with the exhibits. The beneficial effects of previous expositions furnish the arguments by which the present display is justified.

For the exhibit of the United States Government at Buffalo, the sum of $500,000 was appropriated; $200,000 being set aside for the erection of buildings. The latter were constructed under the direction of the supervising architect of the Treasury Department; the exhibits themselves were placed in charge of a board consisting of twelve members representing severally the eight executive departments of the Government, the Smithsonian Institution, the Commission of Fish and Fisheries, the Bureau of American Republics, and the Department of Labor. This board, made up of men in the regular public service, who receive no extra compensation for their added duties, has more than ordinary powers. It allots the appropriation among the several departments, considering not their official rank, but their importance as exhibitors; under it the exhibits are organized, installed, maintained, and finally returned. Seven of its members have had experience in former expositions, where they have learned to pull together and to subordinate individual preferences and the ambitions of single bureaus to the general welfare; and so a unity of effect has been developed which was lacking at Philadelphia and Chicago.

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At Chicago the Government Building contained ten distinct exhibits under ten members of a board, each one regardless of the others in color-scheme, decorations, and methods of installation. At Buffalo the Government exhibit has the appearance of one fine display, and yet the individuality of the several departments is preserved. Exposition work has grown to be almost a profession by itself, and experience in it goes a long way toward securing satisfactory results. The essential continuity of the Government board from Chicago to Buffalo has contributed much toward the effectiveness of the present exhibition. Even the Government Building illustrates the same progress toward coherence of design. In the White City the United States was represented by a huge brownish structure, which was absolutely out of harmony with all its surroundings. At the Pan-American Exposition the building is part of the general architectural scheme, which was worked out by all the architects in repeated conferences. Unity of purpose, harmony of effect, and, withal, an abundant diversity of detail are the products of this policy.

The magnitude of the Government exhibit is easily indicated, even though its size gives no hint as to its quality. The main building is essentially rectangular, measuring 418 feet by 130, and is connected by colonnades with two annexes, each 100 feet square. In round numbers about 75,000 square feet of floor space are thus available for exhibition purposes. But this is not all. On the shore of the Park Lake another structure houses a crew of the life-saving service, who demonstrate every day the nature of their duties. The life-boat is launched, the crew is drilled in its management, and a sailor is rescued by the life-line from a mast, in order that the public may see, at ease and in comfort, the performance of a task which the same men may practise next winter on a stormy shore, with their own lives in danger and a wrecked ship close at hand. At the north end of the Government Building a mimic parapet, the copy of a modern fortification, protects a battery of guns, whose mechanism is shown in operation at stated intervals of time. The visitor has heard of the disappearing gun carriage; there it is, where he may behold its actual working. South of the building, a field hospital, complete in all its details, is exhibited; and there you can see how your friend in the Philippines will be cared for if he happens to be ill or wounded. A company of coast artillery and a battalion of marines are also encamped near by, to show the daily life of our defenders. All this is outside the main body of the Government exhibit, an overflow, so to speak, but none the less important for exposition purposes.

Upon entering the Government Building the visitor finds himself

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beneath an enormous dome. All around him are the exhibits of the several departments, and overhead are flags and draperies, which serve partly as decorations and partly to mask the rough woodwork of the original interior. To appreciate fully what has been done one should have seen the structure before the work of installation began. The building itself was regarded by the supervising architect as the exhibit of his office, something which should hold its own in comparison with the other architecture of the exposition; and so his resources were mainly expended upon the exterior. Within, it was left rough and unfinished — a huge barn with undressed timbers, unpainted walls, and a general air of unsightliness. To transform this unpromising interior into something effective was the first problem of installation; and its solution, if not perfect, is fairly satisfactory. To make a background for the exhibits the walls were covered with dull red burlap; the rough wooden or iron posts were converted into decorative columns. The rawness was at least hidden, and a harmonious effect was produced. Throughout the building one color-scheme prevails, and that was chosen on the basis of past experience in various museums and at other expositions. The decoration of such a building is the foundation for a successful exhibit. A bad background might spoil everything.

Returning to the exhibits proper, the first impression is one of extraordinary completeness. And yet many things are lacking. The census is unrepresented, for its director felt that an exhibit would be premature. The revenue service, the pension office, and the great accounting divisions of the Government are missing, for the reason that they had nothing which could be advantageously shown. Only those bureaus appear whose work is capable of being exhibited in something like concrete form — a rule to which there are a few exceptions that call for no discussion here. The philosophy of government and its clerical machinery do not admit of material display: material objects are the available features of an exposition. There is, nevertheless, abundant food for thought in one of these Government exhibits. A young man was shown through the Government Building at Atlanta by an attendant, who took pains to explain many things in detail. Upon leaving, the visitor said: "I have often thought that I should like to hold an official position in Washington, but I fear that I do not know enough." Everything he had seen impressed him with the idea that it represented the work of trained intelligence, and that in such a service the untrained man was of little value. He had received an object-lesson in the true significance of civil service reform. Every exhibit is the product of special knowl-

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edge, and the more carefully it is scrutinized the more apparent does that truth become.

If the visitor has been to former expositions, his next impression will be one of likeness to what he has seen before. Here are the same articles, shown in much the same way; and yet a closer inspection reveals differences. To a certain extent sameness is unavoidable. The Government, as represented at Buffalo, has changed but little in the three years which have passed since the exposition at Omaha; and, although it has some progress to its credit, there are few novelties to present. Some things and some methods are new, however, and the installation is distinctly better. During the Omaha Exposition the United States was at war with Spain, and the exhibits of the army and the navy were seriously crippled. Their resources were in use elsewhere; guns and equipments could not be spared for show; but the conditions which then ruled no longer exist, and the implements of warfare are now lavishly displayed.

The results of the war are also illustrated by a collection of articles from the Philippine Islands — a collection which was gathered especially for this exposition by an agent of the board. It fills one-fourth of the space in the North Annex; and, although it is merely a beginning, it tells much concerning the peoples and products of our new possessions. Hawaii, also, is represented under the Bureau of Education by an exhibit from its schools, and under the Geological Survey by a relief map of the islands. Another relief map gives the topography of Porto Rico. Both models were prepared for use at the exposition.

Here we get a suggestion as to certain permanent gains to the Government which accrue through the medium of its exhibits. At every exposition some new things are acquired, which are preserved afterward in Washington. The Filipino collection will go to the United States National Museum; the relief maps are but two of a large series which have been made at various times for exposition purposes. Nearly every department has something of like character to its credit.

For Buffalo the National Museum has had constructed the finest groups of Indian figures, family groups in most cases, which the world has ever seen; and in coöperation with the Geological Survey it has made a full-sized restoration of the skeleton of Triceratops, one of the gigantic extinct monsters whose bones were discovered by Marsh. This work is permanent, and remains the property of the people after the exposition closes. The value of the exhibition is not all transitory.

Upon looking at the exhibits still more closely another advance can

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be noted. Hitherto, with few exceptions, the display made by the Government has been fixed and motionless, like the collection in a museum. At Buffalo the proportion of "live" exhibits, of machinery in motion, of operations performed, is noticeably large. The aquarium of the Fish Commission has always been a feature of these exhibitions, and here it is more effective than ever. The South Annex is entirely devoted to the display of this bureau. Under the Department of Agriculture the process of meat inspection is shown by a group of young women, who, detailed from one of the packing houses, perform their regular work upon samples of suspected products. The coining press from the Mint is an old and familiar feature of these displays; and so, too, are the plate press of the Bureau of Engraving and Printing and the great revolving lenses of the Light-House Board.

Motion and activity are the characteristic features of the exhibit, and this fact is nowhere more forcibly illustrated than in the space assigned to the Department of the Interior. At Chicago, for instance, the Patent Office exhibited long lines of cases filled with motionless models, a collection which roused few visitors to enthusiasm. At Buffalo some models and some products are shown; but the space is mainly occupied by noteworthy inventions in full operation, doing the actual work for which they were devised. The telautograph, which transmits pictures by wire, the rival type-casting machines, and the voting machine may be mentioned as illustrations of the new policy. A live exhibit has replaced the dead one, and its greater significance is plain to everybody.

In methods of presentation the greatest novelty is offered by the Bureau of Education, which has heretofore been represented by "dead" exhibits of the least spectacular order. How could a subject like education be illustrated otherwise? This question was answered by invoking the help of the moving picture and the graphophone, which together show phases of education that could not be shown without their aid. Manual training, kindergarten exercises, gymnastics, the teaching of deaf mutes, and military drill are represented by moving pictures, while class-room work, such as songs and recitations, is reproduced by the graphophone. On the screen the naval cadets at Annapolis are seen to march, and the graphophone at the same time gives the music of the military band. Life and motion are brought before the eye, and the very sounds of the school-room are repeated to the ear. This is a new feature in exposition work, a new method of presentation which should be broadly applicable in the future. All manner of industrial activity

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may be recorded on the moving film, and all sounds can be preserved upon the phonographic cylinder. At Paris, last year, moving pictures were used by some of the French colonies to show phases of life abroad, but the exhibit at Buffalo is a step onward in the same direction. A new field of possibilities has been opened.

It is not my aim to catalogue the Government Exhibit, nor is it desirable that I should record here too many of its details. It is enough to indicate thus briefly its essential character and purpose, and to bring out some of the points of difference between it and its predecessors. In nearly every department of it progress and improvement are manifested. May the advance continue in the future, and the next exhibition be better still.

F. W. CLARKE.

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THE PRESIDENT'S RECENT TOUR.

SOME one has suggested the enactment of a law compelling the President of the United States to make an annual tour of the country whose destinies he directs. The intent of the suggestion is admirable; but never, let us hope, will a serious effort be made to carry it into execution. No one for a moment doubts the wisdom of the frequent appearance of the President and his Cabinet in every section of our broad domain; but these visits must be spontaneous in their inception. They must be the outcome of a genuine and patriotic desire to meet the people face to face; they must be born of love, and not of compulsion. And when a tour, thus inspired by a sincere interest in the nation's welfare, is characterized by a welcome of remarkable cordiality, the spectacle presented is worthy of philosophic consideration. Therefore, it seems to me, there are many lessons to be drawn from President McKinley's recent transcontinental journey, the discussion of which may not be without value to the readers of THE FORUM. The narrative side of the trip has been fully detailed in the columns of the daily press, while industrious and ubiquitous photographers have surfeited us with pictorial representations of each important event. I shall carefully avoid, as far as possible, both narration and description, confining myself to emphasizing those features of the tour which concern the broader phases of our national life.

The very first fact which, in my judgment, impressed itself upon the President and his party is the homogeneity of the American people. We reached San Francisco by way of Memphis, New Orleans, El Paso, and Los Angeles. The journey was over 3,000 miles in length; and yet there was no city *en route*, no crowd which gathered, which was not thoroughly and typically American. This, it may be remarked, was to have been expected; and yet the importance of the fact is not thereby lessened. I can now well understand why the weary brain-worker or the broken-down money-maker turns his face toward England and the Continent in his rest-seeking moments. A few hours from London and he is amid the kaleidoscopic scenes of Paris; thence Switzerland is within easy reach; Italy and Spain lie beyond; Germany and Russia, or even

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Turkey and Egypt, are comparatively near at hand. Within a distance equal to that which separates New York and San Francisco, there are a dozen nationalities, each with its distinctive characteristics and each affording the delight of novelty. But the United States *is* the United States from ocean to ocean, from Canadian border to the blue waters of the Gulf of Mexico. The city which is reached to-day is but the counterpart of the city which was left yesterday. There is an unvarying monotony of architecture, an absolute lack of diversity in dress and custom. The people are actuated by the same ideas, they speak an identical language, they sell the same goods in stores modelled after the same pattern. Market Street in San Francisco is but a reproduction of Market Street in Philadelphia, even to the ferries at the lower end; and State Street in Chicago is but Broadway built up again with greater width.

Very trite and familiar all this may seem to the casual traveller who fails to appreciate its real significance; but it appealed to the President with tremendous force. He appreciated, more than ever, the solidity of the nation, its community of interest, the singleness of patriotic purpose which animates its great pulsating heart. As the statesman he is, he saw that as long as these conditions continue there is no need to question the future of the Republic. Thus we find him, in his speeches, impressing upon his auditors this idea of national unity. "One flag, one country, one destiny," was his unwavering text. It is no wonder that he found therein a theme for eloquent utterance. His words may seem empty rhetoric to the man whose view is bounded by the narrow confines of his own town or county, and to whom the word San Francisco conveys no idea of the vast expanse which separates that city from New York. To those who accompanied the President, and who witnessed everywhere hundreds of thousands of loyal citizens manifesting by every visible sign of pleasure their respect for the Presidential office and their personal regard for its occupant, the trans-continental tour was a continual inspiration. No man could have witnessed those scenes and remained unthrilled; no man could have participated in them without a feeling of pride in his American citizenship. What a contrast, for instance, with Austria-Hungary, where in a territory embracing only 240,000 square miles, as compared with the 3,500,000 square miles of the United States, we find such diversity of language that the printed money contains the denomination of the note expressed in more than a dozen different characters, and where the discussions of the Reichsrath may be likened to a modern Babel. Austria-Hungary is, indeed, a patchwork structure, liable to collapse; the United States is a complete, solidified, harmonious

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edifice, with a foundation as broad and secure as the length and breadth of the land.

Such was the picture of the country as an entirety. Let me now present some views suggested by the sections of the country through which the President travelled. It is not as a discoverer that I chronicle the fact that conditions in the South are changing. I am well aware that every observer of national development has already made this truth plain. I mention it because it was impressed most emphatically upon those who accompanied the President, and was made the text for some of his most important deliverances. I have been through the South many times in the last decade, and remember, with special pleasure, the tour of the President two years or more ago, when he won the hearts of the Southern people by his loving reference to their soldier dead. Knowing the sentimental spirit of these people, I was prepared for the cordial greeting which they bestowed upon him in grateful appreciation of his kindly feeling; but, to my surprise, it was also the commercial instinct in the South which was largely responsible for the warmth of the welcome. In the typical Southern city of Vicksburg, where the fortifications of the Civil War still remain, their grim outlines now softened by grassy lawns, we saw an arch of cotton bales bearing the single word "Expansion." It was significant that in the city where this display occurred the reception of the President was most demonstrative in its nature. The arch and the welcome went together.

Vicksburg is a great cotton market. Englishmen, Germans, Italians, Frenchmen, and representatives of every other commercial nation under the sun reside there all the year, buying cotton and arranging for its shipment to foreign countries. The owners of the great cotton plantations know the value of these foreign markets. They know that they must go beyond the United States to find purchasers for their surplus stock. The war with Spain has opened to them the markets of the Orient. China and the Philippines have ceased to be mere names upon the map, but are known to be the homes of millions of people who are clothed in products of the cotton loom. Already the exports to China have vastly increased, Manchuria alone taking nearly $10,000,000 worth of cotton goods last year.

The President realized that this commercial instinct, so long dormant in the South and now slowly awakening, needed but slight stimulation. It was for this reason that he told his Southern audiences that China is to have an open door, with advantages for the United States equal to those enjoyed by any other nation, and that in the far East there

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is to be an unceasing demand for Southern cotton. His words met with a responsive echo, loud and long. When he talked of the great opportunities awaiting the American cotton planter, and emphasized the opening avenues of trade as a further incentive to industry and energy, he was cheered with a yell as ear-piercing as that which thrilled Pickett's men at Gettysburg. It may not be new blood in the veins of the Southern people, but it is blood which is coursing with new sensations. These Southerners are learning the value of the dollar. They are realizing that the practical business side of a question is to be preferred to the sentimental.

It is this development of commercialism which is honeycombing the political structure of the South. Senator McLaurin's utterances in South Carolina, and the still more recent speech of ex-Secretary Herbert before the Bar Association of Alabama, are not spasmodic outbursts. They are the logical sequences of new conditions in the South — conditions which have received a stimulus through the President's visit. It is quite natural, of course, that the politicians of the old school should deprecate the change; but it is doubtful whether they can withstand or even hinder it. There is a new element in Southern politics, the business element, and it seems disposed to act for itself in the future. The speeches of the President were an appeal to this element — an instance, in my opinion, of sowing seed in fertile ground.

Every mile of the President's trip through the South revealed the wonderful prosperity of that section. The cotton mills beside the railroad track in nearly every town along the route were monuments of commercial development; while the operatives, to whom a brief holiday had been given that they might see and cheer the President, were human documents of surpassing interest. It is to be noted, also, that the diversification of crops in the South, persistently urged for many years, has now become a realization. As we passed through the northern section of Alabama we were shown vast fields where corn has taken the place of cotton; where fertile valleys yield immense returns when planted with common and sweet potatoes; and where, upon far-reaching pasture lands, cattle were grazing. Truck farms, where strawberries of gigantic size and delicious sweetness are raised for early shipment to the North, are making money for their owners. Not only native Southerners but Northern immigrants have discovered that the land in this part, when properly tilled, will yield 500 bushels of sweet potatoes to the acre, and that the demand therefor is greater than the supply. They are learning, too, that the prosaic cabbage is worth money in the Northern market, and

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that the sun-crowned hillside is admirably adapted to the culture of the grape. I want to add, while speaking of the South, that the Northern immigrant and the Southern native are dwelling together in peace and unity. The common interest of money-making is breaking down sectional barriers to a remarkable degree.

While interested, of course, in the South and in the Pacific Coast, the President anticipated with greatest eagerness his journey through Texas. He had never been in the State — so he remarked to me previous to his departure from Washington — and its immensity fascinated him. His speeches at Houston, Austin, San Antonio, and El Paso were evidences that his expectations had been fully realized. I am sure, however, that no just conception of the greatness of Texas can be formed unless its enormous distances are actually traversed. The President's train moved steadily westward for 1,200 miles, from the eastern border of the State to the western edge at El Paso, an extent of country exceeding the distance between New York and Chicago. It requires actual demonstration to appreciate the largeness of Texas. Stretch a bit of string upon a map, for instance, from Texarkana on the east to El Paso on the west, and then swing it around. The circle thus described extends into Minnesota on the north, and dips into the Atlantic Ocean upon the east, beyond the States of Louisiana, Mississippi, Alabama, and Florida. To travel across Texas means to cover one-third of the continent from Charleston, South Carolina, to Los Angeles, California. The entire territory embraced in the New England States would be lost in the strip of Texas known as the Pan-handle. The county in which El Paso is situated is almost as large as Maine, and is larger than any other New England State.

The remarkable magnitude of Texas and the unlimited character of its natural resources did not fail to make a profound impression upon the President, whose speeches expressed his wonder and admiration. This was not surprising. A wall could be built around Texas, and the people thus enclosed could live upon their own products, independently of the rest of the world. Wheat from northern Texas, lumber from eastern Texas, cotton from central Texas, and wool and beef from the western and southwestern sections of the State, together with deposits of coal, iron, granite, and rock salt, would supply all necessary wants. The production of rice has become a great industry — the Southern Pacific railroad handled nearly a million bags last year — while the discovery of oil has created a sensation because of the marvellous quantity which gushes forth.

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The President eulogized these wonderful resources, and praised, as they deserved to be praised, the generous hospitality and the genuine patriotism of the Texan people. He spoke in all sincerity; and it was gratifying to witness the pleasure produced by his earnest words. The Texan likes to be told that he lives in a great State. He looks forward to the time, apparently not far distant, when Texas will be the Empire State. Above all, he is anxious that the Eastern visitor shall observe that wealth and culture, refinement and intelligence, are not strangers within the Texas border. And they are not. There may still exist, in the innermost recesses of the State, the typical "bad man," with black flowing moustache and ever-ready pistol; but it is a slander upon Texas to place this character upon the stage as a representative of her citizenship. The reception given to Mrs. McKinley in the capitol at Austin brought together a gathering of fashionably dressed and beautiful women, whose presence would have graced any function in the East. And at El Paso, on the Mexican border, a banquet was served in admirable style, amid charming decorations, with the menu written in French. The Texan who knows his State may smile because I think it worth while to mention these details. I offer in extenuation my desire to enlighten some people whose ideas regarding this part of the country are still crude.

There can be no more impressive and convincing example of the faith and industry of the American people — the same sublime courage which enabled the Puritan and the Cavalier to carve an empire out of the wilderness on the Atlantic coast — than the oases where the desert lands of the United States have been transformed by irrigation. One effect of the President's trip will undoubtedly be to attract attention to this subject of irrigation. Its importance and value are not understood in the East. I remember, for instance, the spectacle of a United States Senator appealing to his colleagues, in the closing hours of a recent session of Congress, not to allow a small appropriation for the construction of irrigating reservoirs to be sacrificed in a conference between the two Houses upon an appropriation bill. He was unsuccessful. His fellow-Senators had no appreciation of the conditions which he presented to their consideration. The fact is that millions of dollars are annually squandered upon shallow creeks in the East, while meagre amounts are grudgingly allowed for a system which means the blossoming of desert lands in the arid region.

The President had ample opportunity to observe what has already been done by private capital. Phœnix, Arizona, is literally an oasis in

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the desert; and where barrenness once reigned supreme, oranges, lemons, grape-fruit, and a luxuriance of flowers make southeastern California a paradise. It may well be asked why private enterprise cannot continue the work it has so energetically begun. The answer is simple and conclusive. The mountains where the melting snow should be stored for future delivery are generally far removed from the region where irrigation is needed, thus creating inter-State problems, while the immensity of the engineering projects demands national consideration. The time will come — and it will, undoubtedly, be hastened by the practical illustrations which came under the President's observation — when the now arid domain of the West will maintain many millions of souls. The soil is wonderfully responsive when touched by water, producing not only the finest fruits, but also alfalfa, the stock food of the West, and all manner of grain. In Wyoming a great tract is now being sown in wheat, and the harvest is absolutely certain, because the water, at present stored in an artificial lake, will be fed at regular intervals and in proper quantity to the growing grain, while the always shining sun will insure steady and perfect development. Thus are these arid plains being boldly seized by intrepid pioneers, and made to yield abundant return; and the Americans who have converted dry and barren sand into fields of living green deserve all the praise which the President bestowed upon them.

The President's progress through California was a continuous ovation. His pathway was literally strewn with roses, and all sorts and conditions of men and women united in doing him honor. It is not difficult to find the inspiration for this devotion. Upon the Pacific slope the President was something more than the official head of the nation, something more than a lovable man. He was the embodiment of an administration which has added the furthermost isles of the sea to our domain. San Francisco, more than any other city, has experienced practical benefit from expansion. It is the *entrepôt* of our commerce with the East. Its docks have been thronged with thousands of soldiers hastening to Manila, while incoming regiments have welcomed the outlines of the Golden Gate with unspeakable delight as the end of their homeward journey. The enormous cargoes of supplies for the Philippines and for the army in China have been broken in bulk in San Francisco, and the transfer from train to transport has given employment to labor. This is but the beginning. From this time on, the argosies that sail the Pacific will increase in number and value, and San Francisco will be the gainer thereby. Force of circumstances has made President McKinley the central figure in this development. In California, and especially in

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San Francisco, a grateful and prosperous people made it evident that they regarded him as the mainspring of their enlarged destiny.

It was in San Francisco that a very remarkable result of the war with Spain was observed. Not so very long ago that city was almost unknown to the average Eastern man. It was separated from the East by a tedious and expensive railroad journey. The Pacific Coast was a section unto itself. Even now its merchants talk of "importing" goods "from the States." I remember seeing some years ago intimations that the people west of the Rocky Mountains were able and willing to exist independently of their Eastern brethren. The danger of a division of the Republic was, of course, more imaginary than real; but, in any event, it has been entirely removed by the acquisition of the Philippines. Across the continent during the past three years there has travelled a steady procession from East to West, most of the pilgrims bearing arms, it is true, but all of them active, patriotic, intelligent citizens. These Eastern men, who, but for the strange outcome of events, would never have known the Pacific Coast, have touched elbows with their brothers of the West, and both have gloried in a common country.

As I stood by the President on the broad parade ground of the Presidio and listened to his speech to the returned volunteers, it seemed to me that he had builded wiser than he knew when he guided the nation successfully through the momentous crisis of 1898. Not only had his sympathy and tact welded the North and the South, but he had brought the East and the West together with bands of common intercourse. It is no small thing that more Eastern people have visited San Francisco in the last three years than had travelled to the Coast in the previous two decades. The barriers have been broken down. Instead of being upon the outermost edge of the United States, San Francisco is now a stopping-place on the way to Manila, and to this extent, at least, is nearer New York than ever before. The people of the Pacific Coast realize and appreciate this fact. They favor, therefore, the permanent retention of our new possessions; and, viewed from their standpoint, expansion welds together the links in the chain of our national life.

The personal affection everywhere manifested for the President was remarkable. Crowds are always certain to assemble whenever a President appears in public. Curiosity explains their eager gathering; but no one who has travelled with President McKinley can have failed to observe that the popular esteem in which he is held is as much a personal as an official tribute. No President — certainly no President since the days of Lincoln — has been so close to the hearts of the people as

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Mr. McKinley. I could instance a hundred incidents wherein this fact was demonstrated; but it is not necessary to adduce proof. I believe that few persons, even of the most partisan opposition, will dispute the universal personal popularity of the President. He has been blessed beyond measure in his Administration; but, more than this, the calcium light of publicity that surrounds him has revealed him as the highest type of American citizen, courteous, thoughtful, honest, Christian-like in his daily walk and conduct. It is because of his high and lovable character that the heart of the whole country beat in sympathy with his during the trying days of his wife's illness in San Francisco; and while this wellnigh tragic episode brought the trip to a hurried ending, it revealed the love of the American people for the man who, while an efficient and trusted Executive, was still more to be admired as a patient, loving husband. Unfortunate as it was that the finale of the tour had to be abandoned, the President must have found great consolation in the solicitude universally expressed; and the manifestation of this concern by the American people is by no means the most insignificant lesson of the President's trip. It shows that we still honor high ideals in our home life; that our hearts and consciences are not altogether hardened by the mad struggle for the accumulation of wealth.

It remains only to add that the President's train travelled about 7,000 miles, and that the entire journey was accomplished without delay or mishap. When it is remembered that this gratifying result was attained without the derangement of regular schedules, and that every detail of travel which forethought had suggested was executed without the slightest friction, it seems to me a notable demonstration of the excellence of American railway management. No wonder that the American railroad is to-day the envy and the admiration of the civilized world.

HENRY LITCHFIELD WEST.

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DEFECTS IN OUR PENSION SYSTEM.

In a speech on the army bill, delivered in the House of Representatives in February, 1901, Mr. McClellan of New York presented a table of figures showing what war means on its financial side. The appropriations for the regular expenses of maintaining our military establishment, as distinguished from those of an emergency character, amount to $152,068,100 a year; the appropriations for the expenses fastened upon posterity by past wars — including the pension system, homes for disabled soldiers, national cemeteries, artificial limbs, and the like — amount to $154,694,292; the total expenses of maintaining the naval establishment amount to $80,056,135. The grand total of $386,818,527 is striking enough in itself, but it becomes positively startling when we contrast it with the corresponding totals in each of the great Continental countries, and find the nearest approach to it in France, where the total war budget is only $190,197,542, or less than half of ours. The largest item of appropriation in our whole list is for our pension system, which consumes, including the cost of maintaining the Bureau, very nearly $150,000,000 a year.

One might naturally assume that the Government of the United States, acting as trustee for the people, would strictly scrutinize everything that is liable to increase the burdens of the Treasury. In the departments concerned wholly with active military administration it does this. No branches of our executive organism are protected by law with a nicer sense of the obligation of the custodian than the army and navy. The officer in either of these services who through carelessness loses sight of his accountability is subject to discipline; while he who deliberately proves false to his trust forfeits his commission and his livelihood, if indeed the magnitude of his offence does not land him in the penitentiary. Not a pound of hard tack or a pair of shoes can be sold to the War Department, for example, till the assurance exists that it will be needed, till the contractor has satisfied the authorities of his responsibility, and till the goods themselves have been inspected by experts. Not a dollar may be paid on either purchase till the vouchers have been

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made out in a form designed to protect the Government against fraud as far as human precautions can do so, and until the auditing officers have gone over all the data and convinced themselves of the entire legality of the transaction. If, after furnishing the supplies, the contractor is so unfortunate as to trip on some unnoticed technicality, his account may be held up at the moment when he most needs the money, and his only recourse will be to the Court of Claims, where he must present his case as he would before any other tribunal, and where it will be decided in accordance with law and in pursuance of precedent. If he fails there, nobody can help him but Congress and the President, by the enactment of a private measure for his relief.

It will not be necessary to pause in this place to contrast the course of the military and naval establishments, charged with the duty of providing for our active war service, with the methods imposed by law upon the pension establishment, charged with liquidating most of our obligations surviving from past wars: the disparity will be obvious enough later. But there is another phase of this matter to which we should give a passing glance. Our pension system is the only form of life and casualty insurance in which the citizen is the insurer and the Government the underwriter. The citizen comes into this relation when he engages in what is regarded as an extra-hazardous employment, namely, that of fighting or resisting an armed enemy. If the Government were so disposed it might do with its soldiers somewhat as it does with its civil employees in fiduciary positions. It does not, in the case of these persons, write its own policies of indemnity. On the contrary, it says to the official trustee: "Find a bondsman for yourself. We reserve the right to reject him if unsatisfactory. Your compensation is made a trifle higher than that of your clerical colleagues or subordinates, so as to make up to you for the extra trouble and expense to which you may be put in procuring a bond; but every risk must fall upon your guarantor, and every premium he demands for taking this obligation upon himself must come out of your pocket and not from the Treasury."

Suppose it dealt in the same way with the soldier, requiring him to take out his own policy of insurance against death or accident, what would be the chance of his obtaining the stipend due him in case of disability, or of his family's receiving a corresponding consideration after his death? Taking for granted the solvency of the insurance company, the only question involved would be the perfection of the proofs adduced as to the insurer's death or disability. But these would have to be beyond reasonable doubt. Would the company obligingly throw open its books

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and other records to the insurer's representatives, to facilitate their work in constructing a claim for him? Would it choose for its president a man who, on every question brought to him for decision, would inquire on which side the company's interest lay, and then scrupulously give judgment in favor of the other? Would it encourage its medical, inspecting, and auditing officers to pass every claim which was not on its face too outrageous, even if it depended for its support solely upon the evidence of persons of whom the company knew nothing, and whose credibility was not established? Would it station at the door of its vaults a servant to shout: "Come in and get your share. God help the surplus!" to every passer-by who wears any remnant of the federal uniform? I can safely leave these questions to be answered by anyone who knows the ways of the insurance world.

Thus far we have noticed only the business side of the case of the old soldier. It has also, and properly enough, a sentimental side. There are not a dozen taxpayers in the United States, I venture to say, who would raise any objection to providing at the public expense for the comfort of every man who has shed his blood for his country. I doubt whether even a service pension, if scrupulously guarded, honestly administered, and confined to the cases of the needy, would be unpopular. All that the people demand is that, in its desire to be kind to those who deserve kindness, the Government shall not become indiscriminate and let in the undeserving as well, and that liberality shall not be construed to mean prodigality and riot. For every bad claim admitted some good claim suffers indirectly. It is, therefore, of great importance that the pension roll should be watched, not only by special agents employed in the public service, but by all good citizens, and that every facility should be offered to persons whose aim is to save the Government from being imposed upon. But what do we find to be the case?

Mr. Smith, an old and respected resident of Blank, Ohio, hears a rumor that one James Jones, a neighbor, is soon to receive a pension from the Government. Feeling doubtful whether Jones has ever rendered the service required by law, or suffered such injuries as would make him a proper object of benevolence, Mr. Smith appears at the Pension Bureau one day with a request that he be permitted to look over Jones's papers on file there. "Are you James Jones?" he is asked. He answers in the negative. "Do you represent him as an attorney?" Again a negative answer. "Then we cannot accommodate you. The law does not authorize us to submit the papers of applicants to public inspection."

As the old gentleman is turning away disgusted, a beardless youth

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enters and fills out a blank calling for the papers of James Jones. A messenger carries away the requisition, and the papers are speedily brought to him. Mr. Smith looks on in wonder. He knows that the young man is not Jones, so he asks him, to satisfy his own curiosity: "Are you Mr. Jones's attorney?" "No, he lives at Blank, Ohio. My employer is William Robinson, pension solicitor, here in Washington. Mr. Jones's attorney sends his cases to Mr. Robinson, who turns them over to me to attend to." "Then you are the clerk of the attorney who is retained by the attorney who is retained by Mr. Jones?" "That's it." "And you are here to correct some error in Jones's record?" "Oh, dear, no. I am looking over his papers to see what more is needed to procure him a pension."

Is it wonderful that Mr. Smith goes away with his mind in a state of confusion? In all his previous dealings in business he has observed that when one man is trying to get another man's money, the latter neither aids the enterprise himself nor allows any of his subordinates to do so. Indeed, Mr. Smith may have observed that, as a rule, the Government, too, guards every door through which one of its own servants, or a contractor, or a claimant can get access to the cash in its vaults. Yet, in this one exception of the pension system, the man who is trying to squeeze money out of the treasury may come himself, or send his attorney, or his attorney's attorney, or even his attorney's attorney's clerk, and get all the information he needs; whereas the man who would like to save the Government from robbery is not permitted to look at papers which may contain half a dozen forgeries he could detect single-handed.

This illustration is only typical of the first of two exceedingly bad features of our pension laws. It shows what Commissioner Evans meant when, with cynical humor, he said that he had given four years of the best efforts of his life toward "having this Government get control of its pensioning system." For many years it has not been the Government that has had control, but persons who make a business of working against the Government. There are now probably 50,000 men in the United States — a pretty fair-sized army — who draw their livelihood largely from procuring pensions. They include solicitors, claim agents, and a class of touters, or pullers-in, as they would be called in an old-clothes district. There are also travelling men — "drummers" for commercial houses furnishing the model. The whole lot are dignified with the title of attorney, whereas comparatively few have any knowledge of law. Some of those in country places caught the knack of a few simple forms

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in legal procedure by serving as justices of the peace. A considerable percentage, especially in Washington, consists of graduates of the Pension Bureau. When the so-called Dependent Pension Act of 1890 went into operation, dozens of clerks quitted the Bureau to set themselves up in practice as solicitors of claims. The new law was so invitingly broad in its scope, the requirements it imposed upon the claimants were so insignificant as compared with those imposed in any court or under any law for the adjudication of one citizen's private claims against another, that they felt justified in giving up a fair stated salary for a big prospect in fees. However well or ill educated in the science of law, they were adepts in their own branch of practice. They knew all the weak spots in the frail wall of defence with which the Government has surrounded itself; they had learned the soft places in the human nature even of bureau chiefs and heads of divisions; they had mastered every word and phrase which they knew to have proved attractive in presenting the claims which it had formerly been their business to handle, and they had a full appreciation of the value of certain technicalities. The practice in the office was an old story with them. They realized how inadequate was the supervision of evidence, how easily a *prima facie* case could be established under the law, and how few cases needed to be carefully prepared.

In short, these men had enjoyed great opportunities for the study of their calling while as clerks they were allowing hundreds of claims between nine o'clock in the morning and four in the afternoon. Not a few of the old hands still in the service remember well when a certain Commissioner gave orders that the Bureau should "make a record" of admitting 1,000 claims a day. This was while the Commissioner himself was borrowing money for his private speculations from one of the attorneys who practised before him, and who is understood to have collected more than $500,000 in one year, in fees deducted from pensioners' first payments! That was a golden harvest period in the claims business in Washington, when, within three years, more than half a million names were added to the roll of pensioners. Young men were stimulated by such figures to forsake other callings and become solicitors; and, as the multitude of solicitors increased, of course it became necessary to increase correspondingly the multitude of claimants — artificially, if in no natural way — in order to make business enough to go around.

The other notably weak feature in the existing system is that of the medical examination. The medical examiners are grouped in boards of three members, who do their work at the county seats at or nearest

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their own homes. They are now paid by fees, receiving $2 apiece for each examination, so that every claimant, at the outset of his career, costs the Government $6. It is true that no examination is held except upon the Commissioner's order; but he must give the benefit of the doubt to the applicant in every instance where a *prima facie* case is made out. The method of choosing and appointing medical examiners is slipshod, to say the least. They are recommended to the Commissioner by Senators and Representatives who are often quite unacquainted with their personal traits or professional acquirements, indorsing them at the instance of local petitioners, usually members of the Grand Army of the Republic. Surgeons thus procured may be good, bad, or indifferent.

In 1875, Commissioner Atkinson drew attention to this evil. Of the medical examiners employed during that year, five had been removed for incompetency, and seventy for other causes, principally for neglect of duty, while forty-nine had resigned, a part of them doubtless to avoid removal. A large percentage of the certificates sent to the Bureau at Washington by these examiners had to be returned to them for correction; the defect in most cases being the lack of an intelligent and particular description of the disability found. Though a surgeon may be thoroughly competent to make examinations, it is only after he has gained a practical knowledge of the requirements of the Bureau that he is able to describe the condition of applicants in the manner necessary for a proper adjudication of their claims. Any conscientious Commissioner would be glad to get men of high professional standing for these medical places; but, with no means for testing their qualifications for appointment, the incompetent are liable to be forced upon him side by side with the competent.

It not infrequently happens that the claim agents themselves take a hand in procuring such appointments. They circulate petitions and obtain signatures without difficulty from a host of outside persons who, if they give the subject any thought at all, assume that any surgeon can do such work as the Pension Bureau demands. Many of the signatures undoubtedly come from intending claimants; and thus the surgeon's integrity of purpose is handicapped from the start by the fact that he owes his appointment in part to a group of men who will soon be brought before him for examination, and to the activity of an attorney who has many fees to gain if their claims go through successfully.

Even a surgeon with the best of intentions may make a failure of his work as a medical examiner: (1) by allowing his sympathies to be

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unduly moved by cases which appear pitiful, forgetting for the moment that his employer is the Government and not the claimant; (2) by the circumstance that he is dependent for his practice upon the community in which he does his work for the Government, and finds it hard to resist the sentiment of the neighborhood or the urgency of the member of Congress directly responsible for his appointment; and (3) by letting his inexperience or carelessness so affect his report that it must pass backward and forward through the mails several times in process of correction. Every time a report enters the Bureau it has to await its order for examination; and if it must be returned, amended, and forwarded a second or a third time, the delays are often distressing to the claimant and obstructive to the machinery of the Bureau.

The way some medical examiners work has given them at headquarters the nickname of "specialists." To an outsider it is comical to see three professional men appearing to go mad over a particular disease. With one board every claimant examined will be found to have chronic diarrhœa; with another, disordered liver; with a third, rheumatism, or some other complaint of which the symptoms are more or less indefinite. The medical division of the Bureau recently found that, out of thirty-two examinations made by one board in one week, all the claimants were described as having organic heart disease — twenty-six of them had a systolic murmur of the heart, and six a diastolic murmur. This coincidence seemed so improbable that twelve of the claimants were ordered to a second examination, but before a medical board in the next county. The medical referee, an ex-Union soldier and medal-of-honor man, went on from Washington to witness this test. The second board was not advised as to what disabilities the first had found, but was instructed simply to make a thorough examination, and ascertain the exact condition of each claimant. Heart disease was not found to exist in a single instance. For further assurance, the referee — who, besides his other experience, had served seventeen years as a medical examiner himself — made a separate examination of each of the twelve cases, and confirmed the report of the board that heart disease was not present in one.

In view of the ease with which any person may become a pension attorney, and of the hap-hazard methods pursued in the selection of medical examiners, it is plain that the Government has to trust more to good luck than to anything else to save itself from being continually cheated. One perennial source of danger is the *ex parte* character of nearly all proceedings in pension cases; the Government having no opportunity to know or to cross-question either the principal in a case or

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his witnesses. Even the identification of the principal, when he is ordered before the medical examiners, is so incompletely protected as to be farcical. An attorney fills out the necessary form of application, procures the attesting signatures required, and forwards the document to Washington. If he has made up a fair-looking case the Commissioner mails two orders: a red order, so-called from the color of the paper on which it is printed, goes to the local medical board, directing it to examine A. B. when he appears before it; and a white order is sent to the applicant, directing him to appear before the board.

The man who presents himself with a white order in his hand is examined by the board. He may be A. B., in whose name the order is made out, or he may be C. D., who never saw a day's military service, but whose system is saturated with diseases, and whom A. B., or his attorney, has therefore hired for an impersonation. The report of the board will be made ostensibly on A. B.'s case, but actually on C. D.'s, and quite innocently, the members having no legal means of compelling the man to identify himself in a satisfactory manner, and no reason to suspect the substitution. A similar fraud is possible when witnesses from outside are procured to testify to their remembrance of the claimant, of his service in the army, and of the things which happened to him there. The Government sees nothing but the names signed to the affidavits. In nineteen cases out of twenty, these affidavits have been written by the attorney and sent to the witnesses to sign; and investigation has proved that many a witness swears to such papers from motives of pity for a needy old soldier, but with only the vaguest recollection of the incidents described, or no recollection at all — nay, without so much as reading what stands before his name.

What is the result of these fast-and-loose practices on both the legal and the medical sides of the pension system? The criminal records of the Bureau tell some interesting tales. For instance, one attorney in Charleston, South Carolina, who was also a notary public, found it more profitable to execute affidavits than to represent his clients before the Pension Bureau; because, whether a case succeeded or failed, he could always make his notarial fees, whereas, as an attorney, he would get nothing if a claim were rejected. He was associated with another notary, who was also a barber. He would himself execute the papers in cases which he believed safe, but those which he found it necessary to accompany with dangerous forgeries he would turn over to his barber notary, who would execute them in large batches every Monday morning. This attorney forged hundreds of papers, filing claims in the names of dead

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persons, and giving fictitious addresses to the Pension Bureau so as to be able to control the mail matter sent out from there.

Of 105 claims filed by a Tennessee attorney, only eight were found, on investigation, of sufficient merit to have passed the Bureau if properly prepared; the rest were wholly fictitious, or based on forged papers. He pleaded insanity when brought to the bar.

Another attorney, living in Indiana, locally a most respected member of society and the superintendent of a Sunday school, based most of his frauds upon what he was pleased to consider his duty as a Christian and a benevolent man. For example, when his partner fell ill, he conceived the idea that it would be a graceful act to procure a pension for the invalid, and accordingly forged the papers necessary to that end. When confronted with hundreds of forgeries of this sort, he cheerfully admitted them, resting his defence on the excellence of his motive, and assuring his prosecutor that everybody whose name he forged "would have been perfectly willing, if alive and present, to have sworn to the same statements."

An attorney at Providence, Rhode Island, induced several of his clients to put their certificates into his hands and let him collect the money for them. Whenever a client died, the attorney concealed the fact, changed the man's address at the Pension Bureau to some other place, and went there and obtained the letters. The vouchers, of course, he had to forge; but that was simple. In one case he rented a box in a country post-office and had the mail of two of his dead clients sent there. He had about twenty of these ghastly tricks in operation when he was apprehended; and the exposure inspired the Postmaster-General to issue immediately a rigid rule requiring the delivery of pension letters thereafter only to the pensioner in person, or to some member of his family designated by him.

A soldier who formerly lived in Brooklyn, New York, and who had served honorably and been wounded in battle, filed an application for a pension on the ground of hernia, and appeared before two separate notaries in Brooklyn, impersonating comrades who had served in the same company with him, concocting fictitious addresses for them, and testifying in their name to the date and cause of his own disability. Later he committed a similar offence at seven different points in the United States, and the testimony thus forged in his own behalf filled twenty-three documents. The ingenuity he displayed in this series of frauds was notable. In one case, which threatened to be troublesome, he went so far as to rent a house in a comrade's name and take a lock-

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box in the post-office, so that landlord and postmaster would both attest his credibility.

A rascal is moving about the country, uncaptured up to the present writing, whose specialty is impersonating witnesses. The curious feature of this case is his success in deceiving honest claimants. He will obtain from one victim the name of another veteran in a town near by, will go to him and represent himself as an ex-comrade, and offer to go upon his papers, charging, of course, so much for each affidavit. From this one in turn he ascertains the address of another member of the same company living elsewhere, repeats the operation there, and so on indefinitely.

Such examples of the utter inadequacy of the present system to protect the Government against fraud on its legal side are matched by cases cropping out continually in the medical branch of the business. A man drawing a large pension on the strength of the certificate of a medical examining board that he was totally deaf was discovered in charge of a telephone instrument, through which he was receiving and transmitting messages without difficulty. One pensioned for total blindness was found reading newspapers and doing cabinet work; another blind man was encountered in a jewelry shop, engaged in delicate mechanical tasks with a magnifying-glass stuck in his eye. A man drawing $72 a month because of his "total inability to perform any kind of manual, professional, or skilled labor," and because he "required the regular aid and attendance of another person," was discovered one day industriously painting the side of a four-story warehouse, having drawn himself up on a twenty-foot ladder, handling both the ropes without any assistance. Another $72 pensioner, "totally disabled" like the house-painter, was met by a special agent walking down the street with a lawn-mower over his shoulder, carrying it as easily as most men carry a fowling-piece. He was subjected to reëxamination, and the doctors could find him suffering from nothing but the habitual use of opium. A pensioner who is drawing $50 a month, because, owing to an injury to his hip, he cannot lean over far enough to tie his shoe-strings, is to-day engaged in a clerical occupation at a good salary within a stone's throw of where these lines are written. But why continue this endless catalogue?

Is there any way of changing the laws so as to make such things impossible? Impossible — no; vastly less frequent — yes. As long as human nature remains what it is frauds will occur. What can be done, however, is to make crime more difficult. The most intelligent officers of the Pension Bureau believe that a number of competent medical men

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could be drawn into the service by salaries sufficient to pay them fairly for their time, and by some guarantee of permanent tenure; that the present system of fixed local boards of examiners should be abolished, and roving boards established in their stead, each consisting of two good surgeons, a reputable and well-educated lawyer, and a stenographer; and that such boards should be required to travel from county seat to county seat in the several States, having published in advance a notice of the days when they will sit at a certain place and hold examinations. Their sessions should be in the court house of the county town, and they should visit one place not oftener than twice a year.

If they met in this way and in so public a resort, the chances of imposition through substitution or other fraud would be reduced to a minimum. The surgeons, by being made independent of local influences, would be relieved of one cause of bias which embarrasses them now. As they would keep at their work continuously, they would acquire such skill in making their returns that their papers would always expedite rather than retard the adjudication of claims. The lawyer on the board would have an opportunity not only to question, but to cross-question, each applicant and all witnesses giving evidence in person; and the stenographer would take down the questions and answers, medical and otherwise, for preservation in the Government records, should the same cases ever come up again in any form. Last, but not least, the saving to both Government and applicant would be very large; the applicant having no use for an attorney when the Government undertakes to do everything for him, and the Government obtaining professional skill and time-saving experience for a fair salary, in the place of inefficiency and delays under an extravagant fee system.

It must not be assumed, because popular attention has been called in a marked manner of late to the shortcomings of existing methods, that the complaints are in any sense new. The protests of honest and plain-speaking Commissioners of Pensions began at least as far back as 1872, when Commissioner Baker, appointed by President Grant — surely no foe to the Union soldier — passed some very severe comments on the frauds discovered in both the invalid and the widows' and dependents' branches of this work. His warnings were echoed by several of his successors; and now, when the number of claims adjudicated in a year has reached some 225,000, almost every adjudication being on *ex parte* evidence exclusively, it seems as if the acme of wrongful possibilities had been reached.

Albeit Congress has been pressed for nearly thirty years on this sub-

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ject, no relief is yet forthcoming. The influence of the attorneys and claim agents appears to be as large under the dome of the Capitol as their legal privileges are under the gables of the Pension Bureau. Whenever a Commissioner attempts to effect some reforms without additional legislation, he is promptly frowned down. To this day the Bureau has its dockets loaded with claims of "minors" who have now grown to be middle-aged or elderly men. It is obvious that the framers of the law providing for this class had in view the temporary maintenance of helpless children, too young to work and yet a drain upon the resources of a widowed mother or other relative. There was probably no thought of furnishing big arrears to men who have got well along in life without any assistance, and who simply come back upon the Government for money, because the treasury happens to be full and everyone is free to get what he can out of it. If a Commissioner, however, occasionally makes bold to return to the original purpose of the law in his decision of a case, his temerity is rebuked in a most disagreeable fashion, and an appeal is carried through over his head.

In those rare cases, by the way, where an appeal does not follow the refusal of any claim which has a single technical leg left to stand on, the cause must be sought elsewhere than in the claimant's modesty or in his satisfaction with the result. For example, under the law of June 27, 1890, it is not necessary for a widow to show that the death of her soldier husband was caused even remotely by his army service. She has merely to prove that he served at least ninety days and was honorably discharged, that she was married to him prior to the enactment of the law, and that she is without other means of support than her own labor and a net annual income not exceeding $250. In the adjudication of claims under this act, widows have in more than one instance been discovered to have been accessories before the fact in the murder of their husbands. All the conditions fixed by the statute were fulfilled, but the Bureau has rejected these claims on the ground that the law-making power never contemplated that a woman should create her own pensionable status by killing a soldier. For reasons which may suggest themselves to the reader, no appeal has been brought in any of these cases.

On the other hand, in one instance within the knowledge of the writer, a Commissioner attempted to stem the tide of governmental folly by a decision based not upon the law, but upon good morals. The case was that of a woman who claimed a pension under the act of 1888, running back to the date of her husband's death. On investigation it was

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found that the husband had enlisted for the civil war, and that the wife had taken the companionship of another man within two weeks of his departure. At the end of his term, the husband died within ten days of mustering-out, the wife never having in the mean time returned to her duty or even forsaken her lawless ways. Technically, not having married the second man, this woman was the first one's widow, and therefore within the privileged circle established by statute. The Commissioner indorsed upon the back of her file of papers: "Application refused on grounds of public policy." His decision was overruled on appeal.

This fact and others which might be cited go to show that the Pension Bureau, as conducted under the present administration and some of its predecessors, has been no willing party to the degeneration of the pension list from a pure roll of honor to a mixed catalogue. The blame must rest on Congress and on the clamorous army of claim agents and solicitors who infest the lobbies of that body. To no small extent, moreover, the boldness of the claim agents in making war upon any Commissioner who tries to do his duty, and the inactivity of Congress when reforms are most urgently needed, are traceable to the apparent indifference of good citizens at large. If these were as aggressive in supporting an honest officer as men of the other sort are in assailing him, and if they would insist upon decent pension legislation with half the energy they put into a demand for a tariff schedule or a currency measure, the honest pensioner would soon have cause for pride in his certificate, wholesale perjury would go to a discount, the taxpayers would take fresh heart of hope, and the legacies of an American war now thirty-six years past would cease to be a gaping-stock for the civilized world.

FRANCIS E. LEUPP.

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STATISTICAL BLUNDERS.

AN epigram attributed to a well-known statistician runs: "Figures won't lie, but fools and liars will figure." This saying well sums up the misuse of statistics. There are both persons who intentionally misuse and misrepresent statistics for their own ends, and those also who misuse them through mere ignorance or carelessness. Statistics are like a sharp knife, a very efficient tool in skilful, honest hands, but a dangerous weapon in the hands of the unskilful or vicious. We do not condemn the knife because, whether through the ignorance or the design of the man who holds it, it creates mischief. Of the two classes, the ignorant and the vicious, the former are the more dangerous, mainly because they are the more numerous. The great and constantly increasing interest in statistics and in the knowledge derived from them has resulted in drawing into this field an army of writers many of whom are unskilled in the use of their tools. This fact has served to discredit statistics and statistical methods of research. We often find in magazines, and even in more permanent forms of literature, the most startling conclusions drawn from an array of figures, the value and meaning of which are entirely misconceived.

Some years ago, a fever of apprehension seized many people through their fear of negro domination in this country. It had been discovered that, on the face of the census returns, negroes had increased more rapidly than whites between 1870 and 1880. The fact is that long before the publication of the figures of the race in 1880 it had been shown conclusively that the census of 1870 was deficient, and that this deficiency was mainly in the enumeration of negroes in the South. Disregarding this discovery, although it had been widely circulated, and ignoring the previous history of the race, which should have led to the opposite conclusion, alarmists rushed into print with the most direful predictions. Books were written on the subject, and the newspapers were filled with it. The amount of trouble and worry which this stupid, careless blunder caused our people is simply incalculable. It took a deal of hard

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hammering by those who understood the facts to disabuse the public mind, and even yet one occasionally meets relics of this error.

There is a general belief in the exceptionally great age of negroes. The census age tables are in great part responsible for this, as they show several times as many centenarians among negroes as among whites. Now the fact is that the negro is short-lived. It is doubtful if one ever lived for a century; certainly very few of them have lived for 90 years. Their death rate is nearly double that of whites. The census tables give the ages of people as they are reported to the enumerators; and, as many people do not know their ages, and therefore give them incorrectly, it follows that there must be a large percentage of error. Especially is this true of negroes, and doubly so of aged negroes, who are very prone to exaggerate their ages. The whites, particularly the most highly civilized whites, are the longest-lived people on earth.

Statistics of mortality have always been a fruitful field for the blunderer, who again falls back upon the ill-used census as his source of inspiration. The mortality statistics of the census are derived from two sources: (1) The enumerators' returns, which are obtained in all parts of the country; and (2) the registration returns, obtained from such States and cities as maintain a registration of deaths. The first are everywhere incomplete; the second are fairly complete in some States and cities, but incomplete in others. Accordingly, the enumerators' returns show a death rate far below the rates of most other civilized countries. In that fact the blunderer glories. They show a death rate of negroes but slightly greater than that of whites. This alarms him, for he reasons that the negroes, with their excessive birth rate, must be greatly increasing in number. The returns show inconsistencies in the adult and infantile death rates and in the death rate from various diseases, and the conclusions drawn from them are surprising.

It is the same old story. A little study of the introduction to the statistics of mortality in the census reports would have taught that the figures are confessedly incomplete; that the omissions of deaths are greater in the South than in the North, greater among negroes than among whites, greater among children than among adults, and consequently greater in diseases of children than in those of adults; in short, that the statistics derived from enumerators' returns are wellnigh worthless for all purposes except to prove their own worthlessness.

Turning now to the States and cities where registration is maintained, we find many of them claiming unusually low death rates and arguing therefrom the superior healthfulness of the climate, the water

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supply, etc. One of the States of this Union claimed in 1880 a death rate of but 16 per 1,000 per year. The annual death rate of the United States as a whole is probably between 18 and 19 per 1,000; that of the rural districts being slightly lower, and that of the large cities slightly higher, than these figures. A death rate of 16 per 1,000 was therefore very favorable, and indicated the existence of especially healthful conditions. The State was not satisfied, however, with this excellent showing, and created a Board of Health, which did its work so thoroughly that in 1885 the death rate was reduced to 4.5 per 1,000, and in 1890 to but 4 per 1,000. It is true that an ill-natured, critical person might say that these results were achieved by the omission of three-fourths of the deaths, and that the Board of Health, instead of receiving commendation in the Governor's messages, as it did repeatedly, should have been discharged for incapacity. It may be added, in support of this criticism, that the registration returns from that State were condemned as untrustworthy by the United States census of 1890.

The registration returns of the larger cities show similar phenomena. In 1899 the death rates of 136 of our largest cities were published. Of these cities, 23 claimed to have death rates of less than 10 per 1,000; in 65 of them the rate was said to be between 10 and 15 per 1,000; in 43 of them, between 15 and 20 per 1,000; and only 5 cities confessed to a rate exceeding 20 per 1,000. A death rate below 18 in a large city is surprising; if much below, it should arouse suspicion; while the publication of a death rate below 10 is an insult to the intelligence of the public. Probably not one of the cities referred to had a death rate of less than 18 per 1,000, although five-sixths of them reported rates below that figure. There are two methods of obtaining a low death rate: one is to enumerate only a part of the deaths; the other, to estimate the population at too high a figure. When these methods are used conjointly the result is remarkably effective.

Other common fallacies concern our mental, moral, and physical progress. It is believed by many who ought to know better, and is taught by alarmists, that insanity, deafness, blindness, and crime are rapidly increasing, and that we shall soon become a nation of defectives and criminals. Census statistics are quoted in support of this prediction. There is no question but that all these things were indicated on the face of the earlier census returns, and it is equally certain that as a matter of fact none of them is true. Insanity, deafness, blindness, and criminality are not on the increase in our country. It is true that the reports up to 1880 showed a much larger proportion of insane, deaf,

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and blind among the population at each succeeding census. But why? Simply because we were able at each succeeding period to obtain a fuller enumeration of these classes, and thus to make a closer approach to the actual facts. Half a century ago defective persons were kept at home, and their deficiencies were scrupulously concealed from public view. In these later days, they are placed in asylums and special schools, and consequently are enumerated and classified in a much larger proportion of cases. The census of 1890 shows a smaller proportion of these defective classes than did the census of 1880, and no doubt represents the true situation.

The explanation of incorrect conclusions regarding criminals is different. The number of criminals depends in great measure upon what the law defines as crimes, and upon the degree of efficiency in the administration of justice. Taking the country as a whole, there are many more statutory crimes than a century or half a century ago. Misdemeanors which now send a man to jail were in former times winked at. On the basis of the number of commitments to jail comparisons have been made in print between the moral condition of Massachusetts and Mississippi, to the disadvantage of the former State. The writer ignored or forgot the differences in the laws of the two States, and the variations in the degree of efficiency with which those laws are enforced. It is probable that a greater number of arrests means a higher, rather than a lower, condition of morals. A recent writer argued that the Northern negroes were much more criminally disposed than were those of the South; basing his argument similarly upon the number of commitments for crime, and thus falling into the same error.

The ten-year period, which in most of our States separates two consecutive enumerations of the people, affords opportunities and temptations to overestimate the population, especially that of growing, progressive cities. The bases of these estimates are variously selected, being in some cases a census of school children, in others the number of names given in the city directory, in others the number of voters registered or the number of votes cast; the total number in each case being multiplied by a number representing the supposed relation of the particular class to the population. There is no harm in this amusement in itself; but when results obtained by such doubtful methods are dignified by the name of statistics, when death rates are based upon them, when the figures of the census even are called in question because they disagree with them, it seems desirable to characterize them properly. In 118 of our large cities the population as thus estimated exceeds the true popu-

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lation in 74 cases, and falls short of it in 44. In one case the excess was not less than 60 per cent. of the true population.

In all such estimates there is an element of the greatest uncertainty, namely, the proportion which the section enumerated bears to the whole number of inhabitants. It is well understood that there are great variations at different elections in the number of voters registered and the number of votes cast; so that to assume in any particular election that the voters constitute a certain percentage of the population would be extremely unsafe. It would be safer to guess at the population directly than to guess at this element of the calculation. A directory is very elastic in its number of names, and, by proper manipulation in the hands of an enthusiastic compiler, can be made to indicate almost anything desired in the way of population. HENRY GANNETT.

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THE AMERICAN WORKMAN'S "GOLDEN AGE."

A CERTAIN popular conviction of the day ascribes to the condition of the workman, urban or rural, a constant deterioration. His wages are held to be declining, and his comforts lessening; his security of employment is declared to be less stable, and his economic freedom to be disappearing. Growing out of this conviction has arisen the notion of a sort of Golden Age somewhere back in the early days of the Republic — an age when the workers of town and country enjoyed a life of almost idyllic comfort and independence. Occasionally, indeed, a variation of this view is shown: the worker admittedly receives more wages than his mid-century or earlier predecessor; but it is held that his employment is less regular and his freedom more curtailed, and that he has failed to share in the enormous growth of the general wealth. This latter view, however, is not popular with the radicals, since it admits too much.

It is hard to determine upon what historical or statistical basis is built this notion of a golden age and of the laborer's deterioration. Certain European travellers of the early days, who commented upon the comfort of the American masses, may be quoted somewhat in its favor; but, on the other hand, consideration must be taken of the contemporary state of the English, Irish, and French masses with which the condition of the Americans was compared. The extreme of hardships suffered at various times in this country never reached so low a plane as the extreme suffered by the English peasantry during the years following the Napoleonic wars. An English traveller visiting this country at that time, even had he seen the New Hampshire farmers living on bean porridge, or heard the thousands of unemployed men in the cities clamoring for work, would yet have been forced to admit the superior comfort of the American masses. M. Levasseur, in his recent volume, "The American Workman," quotes Michel Chevalier, the economist, who visited this country in 1835, as saying: "Here the laboring class feels its power, and combination is open." But at that time combination was prohibited in France; and, moreover, it was just at

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that time that the Equal Rights party of the city of New York was waging a political agitation, and that a number of strong trade-unions came into existence throughout the country. The contrast between France and America was for the moment extreme. Two years later this situation had changed entirely. Judgments of this nature are always relative; Arthur Young, it will be remembered, at a time (1788–90) when the English peasantry were in a deplorable state, congratulated his country that it could show no such scenes of misery as he witnessed in Savoy and Brittany.

The mass of testimony, from the time of Yorktown to that of Bull Run, tells a story of anything but a golden age for the American workman. It tells, on the other hand, the narrative of a nation built up by hard work, resolutely performed under the keenest privations. It tells of the growth of a gigantic national wealth, and the heaping up of immense fortunes; but at the same time it reveals the earlier condition of the common workman, the mechanic, the farm laborer, often even the farmer, as generally one of pathetic destitution, the maximum of comfort being found toward the end of the century and the minimum toward the beginning. Not even in the worst days since the Civil War — in 1873, for instance — have conditions been as bitter as they were in some of the earlier periods; and no one could write of any of the recent years of average prosperity such a tale as Horace Greeley wrote of the "good years" of 1831–32.

Let it be said plainly, however, that though this view be granted — that a wider diffusion of comfort has prevailed since the Civil War than in any other period of thirty-five years — there is yet no room for complacent satisfaction with the present condition of the masses. Whatever the degree of betterment, there is yet infinite opportunity for progress. He who looks about him sympathetically cannot fail to see innumerable instances of social ills, shocking alike to Christian morals and to secular ethics; nor can he help echoing, when the full import of what he sees is borne in upon him, the dictum of Huxley, that if no marked improvement is to come it were best that some friendly comet should sweep the planet to destruction. The point sought to be established here is not that the present condition of the workers is satisfactory or even tolerable, but that poverty was more intense and general, and that complaint was more bitter, in the earlier than they have been in the later days. The point is a most important one in sociology; for, if true, it overturns the Marxian notion of an ideal society destined to arise out of the progressive deprivation and brutalization of the workers,

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and shows instead a progressive, though irregular, betterment, the goal of which no man can foresee.

The Revolution ended with the larger part of the population impoverished. What wealth there was lay mostly in the hands of a few score men. The disparity of condition between a laborer and a Charles Carroll or a George Washington was probably greater than exists to-day between a laborer and a Carnegie. Employment was scarce; the circulating medium fluctuated in value; the workman had no security for his pay, and was frequently defrauded. Wages were paid quarterly, semi-annually, or annually. If the workman bought goods on credit, the debtor's prison yawned for him; and, if he was imprisoned, his food and comforts had to be supplied by private charity. "In 1784," says John Bach McMaster, "the houses of the working-people were meaner, their food was coarser, their clothing was of commoner stuff, and their wages were, despite the depreciation that has gone on in the value of money, lower by one-half than at present." Socially the laborer was a nonentity. "There was an aristocracy and a democracy," writes a post-Revolutionary author, "whose limits were as clearly marked by manner and dress as by legal enactment." Politically the laborer was powerless, for the franchise was generally denied him. In New York State it was not until forty-one years after Yorktown that he could vote, and in Rhode Island not until one hundred and five years thereafter. Dr. John W. Francis, a post-Revolutionary writer, quoted by Mr. Myers in his "History of Tammany Hall," describes the "upper class" in New York as "sneering at the demand for political equality made by the leather-breeched mechanic with his few shillings a day."

One of the most significant glimpses of the general post-Revolutionary conditions is given in the frequent recognition, in contemporary literature, of the existence of a class of working poor who were often fed by private charity. A popular cook-book, the third edition of which was published in Exeter, New Hampshire, in 1808, devotes several paragraphs to the subject of the preparation of food for the worthy poor. The cook is charged to save all useful scraps and left-over food that they may be made into soup and other dishes for charitable use. "What a relief," the authoress concludes, "to the laboring husband, instead of bread and cheese, to have a comfortable meal!" Labor organizations had hardly begun, though occasional strikes, such as those of the Philadelphia shoemakers in 1796, 1798, and 1799, showed the spirit of revolt against hard conditions. The small farmers and the farm laborers had a yet more grievous time of it; and though Shays's Rebellion

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(1786–87) is the only important instance of armed protest, the social distress then revealed was common enough in the more settled portions of the East.

The national wealth had greatly increased by the opening of the nineteenth century. But it had been won by hard toil, exerted amid want and suffering, and little of it remained in the hands of the laborers and farmers who had borne the brunt of the struggle. Wages were low, and the working-day was long, usually from twelve to fifteen hours. The wealthy classes raided the legislatures for land-grants and for business charters embodying the most valuable privileges. Furthermore, they joined hands to employ the law against combinations of workmen. The strike of the New York sailors in 1802 was broken by the arrest of the leader, and that of the Philadelphia shoemakers in 1805 resulted in a number of convictions for conspiracy. The New York shoemakers organized in 1805, and in 1809 endeavored to enforce a uniform wage-scale. Twenty-six members were accordingly arrested, tried, and convicted of "perniciously and deceitfully designing, unlawfully and unjustly, to extort great sums of money" from their masters, although they offered the plea that the wage-scale, if granted, would afford them "only a bare maintenance."

Matters improved somewhat up to 1812. But an economic crisis followed the declaration of war with Great Britain, and another occurred in 1814. The close of the war found industry prostrate, with the condition of the workers little better than it had been at the close of the Revolution. The country had now, however, a stable industrial basis, and a prompt revival followed. But when the workers attempted to get their share of the fruits of this activity they found it denied them. The Philadelphia shoemakers struck for the fifth time in 1815, and were suppressed by the law; while the ship carpenters and caulkers in the various ports, who began a series of strikes in 1817, were equally unsuccessful. Something of the nature of the current distress is given in a little essay, "Some Causes of Popular Poverty," by Dr. C. C. Blatchley (Philadelphia, 1817). Depicting the privation of the masses, he ascribes it to various causes, in particular the "enriching nature of interests, rents, duties, inheritances, and church establishments." In 1818 came another crisis, but its effects were not severe. Indeed, conditions in average times were so bad that one's imagination to-day would be at a loss in trying to picture them in panic times. The small farmers of New England were as badly off as the laborers of Philadelphia and New York. "In 1820," says Greeley, speaking of the

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farmers in his section of New Hampshire, "almost every one was hopelessly involved, every third farm was in the sheriff's hands, and every poor man leaving for the West who could raise the money requisite for getting away. Everything was cheap, dog cheap; yet the comparatively rich were embarrassed, and the poor were often compulsorily idle and on the brink of famine." The usual meal of the Greeley family consisted of "a five-quart milkpan filled with bean porridge . . . the meal consisted of porridge, and porridge only." The family removed about this time to Vermont, and found life still harder in that State.

The national wealth grew apace. Hardy pioneers penetrated to the South and West, built houses and workshops in the wilderness, and added a new territory to civilization. By 1821 nine new States had been created west and south of the Pennsylvania border. In the East, also, the upbuilding process went rapidly forward. Yet the condition of the workers had changed but little for the better. In New York State, in 1822, they wrested a partial franchise from the land-holding classes; but the change brought them no immediate economic benefit. Even the agitation for the repeal of the law imprisoning debtors, though begun shortly after the close of the Revolution, was so far unsuccessful.

A general social revolt in behalf of the workers of farm and city began in 1825–26. George Henry Evans's "Man" and "The Workingman's Advocate" voiced the political demands of the toilers. A wave of communistic feeling swept the country, lasting some three years, during which eleven colonies were founded, chief among which were Miss Frances Wright's settlement in Tennessee, and Robert Owen's, at New Harmony, Indiana. But it was an unfortunate time for such experiments, or, for that matter, for any other sort of innovation in social industry. A panic, the first of the true "world crises," occasioned by a disturbance of the cotton market, fell upon the business world in the winter of 1825–26. The effect on labor was disastrous, the depression probably affecting the workers of the factory towns of New England worst of all. In the city of New York, according to L. Byllesby, a contemporary author, quoted by Mr. Charles Sotheran in his "Horace Greeley and Other Pioneers of American Socialism," there were, on January 1, 1826, "at least one-fourth of the journeymen in its different mechanic arts destitute of settled employment." Such a situation, however, according to an authority for a slightly later time, was a common one, and it appears likely that still worse effects of the depression occurred during the following winter. The capitalistic régime was yet in a measure primitive: something of the feudatory conditions of colonial days re-

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mained. "Feudal slavery," writes "A Loaf-Bread Baker," in a pamphlet published in 1827, "holds a distinctive trait in more than one branch of the division of labor in the city of New York." Though the current of business was again set going during the spring and summer of 1827, the workers do not appear to have reaped much benefit. A speech of Miss Wright's, delivered in the spring of 1829, refers pathetically to the general want and misery of New York's poor during the previous winter.

The general agitation, begun in 1825–26, crystallized in 1829 in the organization both in New York State and in New England of a comparatively strong workingmen's party, which achieved certain successes before being absorbed into the Democratic party. In New York it secured the passage of a mechanics' lien law (1830) and the repeal of the imprisonment-for-debt law (1831), while in Massachusetts it served to draw general attention to the frightful treatment of factory operatives. Women and children in the factories, it was disclosed, were frequently beaten with cowhides and otherwise maltreated. An instance was shown of a deaf and dumb boy receiving a hundred lashes "from his neck to his feet," and another of the breaking of the leg of an eleven-year-old girl by a club thrown at her by an employer.

The helpless poverty complained of by Miss Wright would seem to have been a chronic state for at least the winter months. No testimony on this point can be stronger than that of Greeley. Writing of the general conditions of the time, but particularly of the winter of 1831–32 in the city of New York, he says: "Mechanics and laborers lived awhile on the scanty savings of the preceding summer and autumn; then on such credit as they could wring from grocers and landlords, till milder weather brought them work again. . . . It was much the same every winter." The Boston carpenters struck work in 1832, for a reduction of hours from fourteen to ten, but were beaten. The political movement in Massachusetts was formally organized during this year as the "New England Association of Farmers, Mechanics, and Other Workingmen," who declared a "fixed determination to persevere until our wrongs are redressed." The times were against the organization, however, and it succumbed, though to its influence can be traced the passage of the first child labor law (1836), miserably inadequate as it proved to be. In the city of New York, according to Greeley, matters were quite as bad in 1834 as they had been in 1831.

Another political movement now began in the latter city by the organization of the Equal Rights party (1834–35). The grievances

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recited in its various platforms and resolutions depict a situation which would be intolerable to the mass of workers to-day. At the same time the trade-union movement, which had been slowly gathering strength since 1830, began a concerted agitation (1834) for a ten-hour day. A series of strikes was declared in various parts of the country, eleven being recorded for 1835. Some measure of success followed this movement, particularly in New York and in Philadelphia. But the Supreme Court of New York stepped in with a decision (1836) that labor organizations were unlawful; and in June of that year twenty tailors were fined an aggregate of $1,150 "for engaging in a strike for higher wages." The discrimination against labor shown in this decision may be judged from the fact that the period was one characterized by a general organization of small shopkeepers and merchants, as well as of bankers and "captains of industry," all of whose societies received the protection of the law. There were, in the language of a contemporary resolution, "countless combinations of aristocracy; boards of banks and other chartered directories; boards of brokers; boards of trade and commerce; combinations of landlords; coal and wood dealers, monopolists, and all those who grasp at everything and produce nothing."

The second of the great "world crises" came in the winter of 1836–37. Bread riots broke out in New York on February 12, 1837, and another riot was narrowly averted on May 10. The following winter was the worst the poor had known; but it fell to the winter of 1838–39 to wreak an unexampled degree of suffering. "Not less than 10,000 persons," writes Mr. Myers, after examining contemporary records, "were in utter poverty and had no other means of surviving the winter than those afforded by the charity of neighbors." "As the cold months wore slowly on," writes James Parton, on information given him by Greeley, "the sufferings of the poor became so aggravated, and the number of the unemployed increased to such a degree, that the ordinary means were inadequate to relieve even those who were destitute of every one of the necessaries of life. Some died of starvation. Some were frozen to death. Many, through exposure and privation, contracted fatal diseases." The distress extended to every city, hamlet, and farm of the nation.

During this panic the Equal Rights party passed out of existence; many of the trade-unions disbanded; the working-day was generally restored to the old figures of from twelve to fifteen hours; and wages were reduced to a bare pittance. The revival of business gave the workman employment, though under the worst of the old conditions. Gen-

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eral attention was now drawn to the lot of the poor; and a new and powerful social agitation, begun by Albert Brisbane, in 1841, spread thoughout the country. It had come to be generally recognized that, panic or no panic, the permanent state of the working mass was one of needless misery. Many of the brightest intellects of the nation — such, for instance, as Horace Greeley, Charles A. Dana, George Ripley, Nathaniel Hawthorne, William Henry Channing, George William Curtis, John Sullivan Dwight, and Mr. Parke Godwin — joined in the propaganda. The practical form which the movement took — a very impracticable form, as it turned out — was that of the founding of communities, of which thirty-four were established between 1842 and 1849. Of these Brook Farm will always remain the classical example.

That the lot of the masses improved but slightly in the years following the great crisis is shown by a number of instances of contemporary testimony. In 1844, six years after the hard winter described by Parton, Mr. Parke Godwin writes of "the precarious and miserable existence" of the middle and lower classes, and describes the world of industry as a "veritable hell." "One in seventeen of its [New York State's] inhabitants," he says, "is supported by charity. In the city of New York, the almshouse has administered relief, in the year 1843, to 40,000 persons! This is at the rate of one to seven and one-half of the population." In a speech delivered in New York, on April 4, 1844, Charles A. Dana denies that labor receives its just reward of the wealth being created, and declares that "the whole tendency of industry is perpetually to disgrace the laborer, to grind him down and reduce his wages." In the same year, Orestes A. Brownson, who had examined into the conditions of the New England toilers, writes of "the unspeakable misery and destitution of the laboring classes." "Lamentable as is the condition of the laboring man," read the resolutions of the New England Workingmen's Association (1845), "that of woman is worse, and increasingly so." The farmers felt the stress as well, and had begun to organize. At the convention of the Michigan State Farmers in 1844, a paper prepared by S. Denton was read, which asserted that "the non-producing class — lawyers, bankers, merchants, etc.," received annually out of American industry $889,087,409, while the enormously larger class of laborers received only $157,097,591.

The half-decade 1845–50 was characterized by a number of labor disturbances. There must have been ample provocation, judging from a declaration of Greeley's. In a speech delivered November 20, 1846, he said: "'Work, work, give us something to do — anything that will

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secure us honest bread' — is at this moment the prayer of not less than 30,000 human beings within sound of our City Hall bell." In 1845 the workers in certain Pittsburg factories demanded a reduction of hours in the working-day. The manufacturers answered them that, whereas the Massachusetts employers enforced a seventy-two hour week, they themselves were satisfied with a sixty-eight hour week, and declined to accede to the demand. An unsuccessful strike followed, in which 4,000 employees engaged. It should be pointed out that the general working-day in Massachusetts at that time was, on the authority of Col. North, fourteen hours instead of twelve, the work in winter lasting until nine o'clock, though on account of stoppages for meals the effective working time was but slightly in excess of twelve hours. The matter of the working-day seems to have been the cause of most of the strikes of that year, though the matter of wages also came in, particularly in the case of the iron-puddlers of Pittsburg. A ten-hour day had become general in Baltimore in 1840, the same year in which President Van Buren established it in the departments at Washington. For the rest of the country, however, the old working-day continued. A general agitation to secure monthly and weekly payments also dates from this half-decade. It was strongly resisted, and only by slow changes was the present custom finally established.

The panic of 1847 again brought labor to an unusual degree of privation. The effects lasted in one form or another for some time. On January 17, 1850, in a speech before the New York Typographical Society, Greeley declares: "In this thriving commercial emporium of the New World . . . there are at this day not less than 40,000 human beings anxious to earn the bread of honest industry, but vainly seeking and painfully, despairingly awaiting opportunity for so doing." And again: "The laboring class, as a class, is just where it was when I came here eighteen years ago, or if anything in a worse condition."

We have here the summing-up, at the mid-century period, of one of the shrewdest observers of social facts that this country has produced, wherein it is denied that any real improvement had taken place in the condition of the laborer since 1831. Where, then, was the "golden age"? It could not have been before that year, as I have shown, and Greeley had seen no indication of it in the nineteen years following.

The great editor might have made a somewhat different statement, however, had he waited another year or two before delivering his dictum. Beginning with the spring of 1850, and lasting till the panic of 1857, there was unquestionably a moderate rise of wages and a gradual

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shortening of the working-day. The discovery of gold in California and Australia gave a marked impetus to business of all kinds, and employment became more regular. The workers again built up their organizations, and demands upon their employers became general. A bulletin of the Bureau of Labor records thirteen strikes throughout the country in 1853, and an equal number in 1854. The record is incomplete, however, since in the city of New York alone a succession of strikes, involving practically every trade, was declared during the years 1850–53. They were made on a rising market, and were mostly successful.

But though important successes were gained, it was yet a far cry to a golden age. The eleven-hour day did not become general until well on toward 1865; the monthly and weekly pay-day not until about 1860; while the first real factory law—that of Massachusetts—dates from the comparatively recent time of 1866. As for wages, the weight of testimony puts them for the decade 1850–60 at about one-half the present figures. Controversy on this subject is vigorous, and seemingly interminable. The excellent summary, however, recently made by M. Levasseur, after a searching comparison of all available statistics, ought to tend to a settlement of the question. His conclusion is emphatic on the point that nominal wages "have risen very perceptibly, perhaps doubled, in the last fifty years"; and that real wages, *i.e.*, wages measured according to their purchasing power, have risen more than nominal wages.

No one pretends that a golden age has been observed since the Civil War; and the testimony here quoted makes it equally impossible for any previous period. The notion of its existence is natural enough, for it is a common characteristic of mankind, when facing present struggles and bitternesses, to hark back to some remote period in the life of the individual, the community, or the race, and to clothe that period in the richest vesture of the imagination. But, natural as the notion is, it is one to be given over, for it is woven of the stuff of which dreams are made.

W. J. GHENT.

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THE USES OF SPECULATION.

THE recent crash in the New York stock market has been fruitful in the usual homilies against the wickedness of speculation. Those who know the least of the mechanism of organized markets are among the loudest in proclaiming, like a Washington clergyman, that "this stock gambling is a thing of the same nature as the gambling at the faro or the roulette table." "You may dress it up in respectable clothes," we are told, "and call it by a respectable name, but you can't change its real nature; it is gambling and nothing else but gambling."

It is surprising how widely this view prevails in its crudest form. That the produce and stock exchanges are parasites upon the social organism, and might better be brushed off, is an opinion which seems to be prevalent even among people who on most subjects are fairly well informed. It is an opinion which prevails not merely in quarters where it has a political explanation, as among a few farmers who have turned Populists because the price of grain has fallen, but also among persons who have no political or personal interest in yielding to such misconceptions. Another minister of the gospel, at a recent dinner at which I was present, talked glibly of the business of those who dealt in "wind," made "imaginary sales" of what they did not possess, and made up "the bulls and bears" of the stock market. The speaker appeared to believe that all such persons, conservative brokers as well as ignorant speculators, deserved to fall under the same condemnation.

There is no doubt of the soundness of these criticisms, so far as they are directed against bucket shops, and even against the gambling spirit of persons who are ignorant of the principles underlying stock-market speculation, and who expect to get rich without rendering an equivalent service. This sort of gambling, whether through the bucket shops or the stock exchanges, is properly a subject of the severest censure; and there is no reason for wasting sympathy upon persons of this character when they lose.

The trouble with most criticism of the stock market is that it is not discriminating. The produce exchanges and the stock markets

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have their legitimate function in the mechanism of modern industry. It is a most important function; it is eminently legitimate and useful; and the whole fabric which permits the free movement of commodities and capital between different countries at nearly uniform rates would be hopelessly deranged if these markets were abolished. The importance of the stock and produce exchanges is so great, and their operations are so interwoven with all the other operations of modern commerce, that it is difficult to decide where to begin in choosing among the many reasons for their existence. These fundamental propositions, however, may be fairly laid down:

1. It is the function of the produce and stock exchanges to give to products and to capital the highest usefulness of which they are capable.

2. This end is attained because the exchanges, by bringing to a common focus the facts and judgments which determine prices, are the most sensitive and accurate registers of values.

3. Products and capital have the highest usefulness where they command the highest prices, because those who need them most can afford to pay the most.

4. The exchanges, being the common centres in which values are determined, direct through the medium of prices the movements of produce and capital with a promptness and a precision which would not be possible under any other system.

Through the publicity given to quotations on the exchanges, therefore, and the promptness of communication between the exchanges of the world, goods and capital move from place to place under the influence of the law of the greatest good to the community, with the least waste of energy, the smallest misdirection of effort, and the most continuous efficiency possible in the present state of knowledge among men. This is the theory of the exchanges and the reason for their existence. Great as may have been the errors and abuses connected with them, they have contributed immeasurably toward carrying out the purposes just mentioned.

Let the propositions be considered in some detail and supported by argument and illustration. In the ordinary world of business, it is obviously a general rule that products are most useful where the highest prices are paid for them. If there is more wheat in Chicago than the people of Chicago are likely to need for a long time to come, the price falls. If there is too little wheat in London to meet the needs of the people, it is obvious that the price will tend to rise. Such a rise of price will be necessary to set the wheat in motion from Chicago, the point

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where it is superfluous, to London, the point where it is needed. This is the principle which underlies the operation of the produce markets.

But it may be insisted that this statement does not meet the case of the sale of wheat which does not exist. It deals only with wheat actually existing in the Chicago bins. It refers simply to a transfer of existing wheat, and not to a transaction in "imaginary wheat." Let the reasoning, then, be carried a step further. Let the London dealer offer to deliver wheat within two weeks to London bakers at a certain price. He has not the wheat, but he relies upon his ability to obtain it at a profit from Chicago within the time set. Under modern conditions he is able to cable an order to the Chicago produce exchange for ten thousand bushels of wheat. Whether he chooses to send the cable before he offers to sell to the London baker is a question for his own judgment. He takes the risk in such a case that he will be able to buy wheat for delivery at a profit, and he stakes his judgment upon his ability to do so.

This simple statement of the case embodies the fundamental principle of produce exchange transactions. In the case assumed, all persons in London who realized the scarcity of wheat there would be able to place orders instantly in Chicago. The result would be that the Chicago price would advance until it reached practically the level of the London price, with the necessary allowances for transportation, commissions, insurance, loss of interest, and the profit of the London dealer.

It is the very fact that prices in the two markets respond almost simultaneously to the same influence which makes the operations of the exchanges so puzzling under modern conditions. If there were no cable, and the London buyer relied upon his foresight and good luck to dispatch a swift-sailing packet-boat from London to New York, carrying a special messenger to buy at Chicago prices before the scarcity in London was generally known in Chicago, the conditions would be similar to those which would exist without the present system of prompt communication between the exchanges of the world. The difference in prices would be much greater, and the chances of profit would be greater; but the individual speculator would take greater risks, and if he made larger profits it would be at the expense of producer and consumer.

Even the elimination of prompt communication in the case assumed leaves intact the theory of an organized market in Chicago, where all the wheat held would be brought to a common level of price. If the opponents of the produce exchanges were able to wipe out central markets, however, the chances for uncertainties and differ-

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ences in prices would be greatly increased. If would then be possible for the agent of the London buyer to traverse the wheat country of Iowa and Kansas and buy wheat from the farmers at any price for which they were willing to sell. In the absence of knowledge on their part that wheat was scarce in London and that the European world faced the risk of famine, they would sell their wheat at a much smaller price than if they knew the facts. The result in either case would be that the shrewd foreign purchaser, by acting promptly and concealing the desperate state of the European wheat market, might pick up ten thousand or a million bushels of wheat at thirty per cent less than if the sensitive nerve of the stock ticker were keeping all markets in touch with each other so that early suspicions of scarcity in Europe should produce their normal effect in the steady rise of prices in Chicago.

The purpose of the produce exchanges, therefore, is to establish common markets where the influences which affect value may bring prices to a common level. Hence, every event in the world which affects price is felt upon the exchanges; and it comes to be said that future events, when they occur, have been already "discounted." Many important events which would cause a sudden break or rise in prices, if they came like thunderbolts from a clear sky, are thus "discounted" before they actually take place. This fact is the highest compliment to the organization of the exchanges and the best proof of their usefulness. The mere suspicion in well-informed quarters that wheat is to be scarce six months hence leads to its gradual rise in price. Shrewd dealers begin at once to make contracts for wheat at current quotations for delivery in the future, because they believe they will be able to sell at a higher price when the scarcity has dawned upon other buyers. If, on the contrary, they have information which leads them to believe that there will be a great surplus of wheat six months hence, they sell for September delivery at a price below the market. The market breaks and prices begin to fall. They may not have the wheat or know just where they will get it; but they stake their judgment, based upon their knowledge of world supplies, that they will be able to get it somewhere for delivery below the price at which they are selling.

Does not this very statement of the case prove that selling "wind" or "imaginary wheat" depresses the price? In a sense and for a time, such sales undoubtedly tend to lower prices, but only because the seller is convinced that the real value of the wheat is less than the value at which it is selling. He must answer with his fortune for an error of judgment in this respect. Let us see what happens if he has blundered.

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September arrives; the anticipations of the "bears" are disappointed; wheat is scarce, and the price is higher than the price at which they agreed to sell. But they are bound to make certain deliveries of wheat. If they have not been able to buy real wheat at the prices at which they sold for September delivery, they must go into the market and buy it. Their presence adds to the pressure of an already crowded list of buyers, and prices shoot up in at least the same proportion in which they went down when the present buyers "beared" the market through their mistake of judgment by selling too low for September delivery.

This statement of the case is crude, but it involves the principle. What actually happens is not that a single buyer or seller can control the market against the judgment of the majority. Whatever price rules in March for September wheat usually represents fairly the judgment of the majority of men dealing in the market based upon all the facts which they are able to gather under modern conditions of information and quick communication. This judgment may be in error. If so, those who make the error pay for it by their losses, and, if their losses are heavy enough, by being driven from the market. Their operations verify the sagacious remark of a French student of the subject, that speculation succeeds only when it renders a service — when it has anticipated a future need and satisfied it.

Let us try to see what this service is. It does not consist simply in transferring wheat from a market where it is plentiful to a market where it is scarce. It consists also, as already pointed out, in preparing for coming events. This preparation, this "discounting" of the future, forewarns every producer and holder of wheat that the price is going upward or downward in the future, according to the judgment of men who make it their business to study the conditions of demand and supply. Hence, every producer is able to adjust his prices to those discounted future prices, which are published to the world through the system of organized markets.

Still another service is rendered by this discounting of the future. It is a service rendered to the community as a consuming body rather than to the producer. It consists in the husbanding of the world's product against future needs. If it is evident to careful judges that wheat and cotton are to be scarce in September, and their purchases for future delivery cause prices to advance, the whole world is notified to practise economy and judgment in the use of these products. The whole world is advised also that it is profitable to produce them. This argument is applicable to cotton cloth, whiskey, or sugar, if they are represented by

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industrial securities on the stock exchange, as well as to natural products. Hence, capital will be diverted from industries where production is excessive to those where production is deficient. This, from the broad point of view of the interest of the community, is the most vital service which is rendered by organized markets. When prices fall radically for any product, it is an advertisement that there is more on the market, or in sight, than is needed; when prices rise, it is an advertisement that the supply, present and future, is growing scanty. In either case the rate of profit responds to the new conditions, and the volume of production tends to be modified according to the rate of profit.

The same services which are performed by the produce markets in equalizing production and distribution are performed by the stock markets also. If the fact is not quite so obvious, it is because securities are one degree removed in their direct utility from wheat, corn, or cotton. They represent products instead of being products themselves. The fluctuations in the value of railway securities represent the public estimate of the value of those securities. This estimate is affected primarily by earning power, but is influenced also by such factors as the prudence or recklessness of the management of the road, the degree of prosperity in the country which it traverses, the possibility of hostile State legislation, the danger from existing or future competitive lines, the state of general business, and the risk of the adverse influence of political events, like war or an election, upon the probable safety and productiveness of the investment. These influences are in a constant state of flux, and there is an interplay of each upon all the others, which is reflected by the daily fluctuations of the stock market. These fluctuations simply reflect the ripples of opinion passing through the minds of the best judges regarding the value of such properties. Only great events produce fluctuations reaching the magnitude of ocean waves; but, because there are changes which seem to the careless observer to be without cause, it does not follow that the surface of the market does not record as sensitively and accurately the changes in real values as a body of water by the changes on its surface measures the quiet influences of the zephyrs and unseen currents or the upheavals of the tempest.

Hence it comes about that the exchanges, by affording a constant barometer of the prices of the products in which they deal, influence the state of demand and supply, and thereby make possible the highest usefulness of products and of capital. The extreme sensitiveness of this barometer is due to the fact that all the influences which affect values find expression through its oscillations. It is sometimes said of a sudden

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break in the value of securities, such as occurred when President Cleveland transmitted to Congress his celebrated message regarding Venezuela, that it is "merely a stock market panic." The implication of those who make such observations usually is that it is not a condition which affects the solid substance of production and industry.

If the stock market responds more promptly than general trade to events which threaten the stability of business, it is because it performs the same function for business which the heart performs for the body. If a panic occurred in the stock market when President Cleveland recommended that the United States should intervene on behalf of the territorial integrity of Venezuela, it was because the infinite possibilities of war with Great Britain — such as the interference with the market for wheat and for cotton, the disturbance of communication by sea, the diminution of earnings by the railways, with, perhaps, the suspension of gold payments by the Federal Treasury, flashed like a panorama across the minds of intelligent brokers. If fears of war were soon dissipated, and quotations resumed their normal course without serious disturbance to less responsive markets, it was, probably, because of the emphatic warning given to those in authority by Wall Street and Lombard Street, through a "stock exchange panic," of the havoc which war would work in the value and security of all the enterprises upon which Americans and Englishmen depended for their daily bread.

One of the benefits of organized markets which has already been suggested by implication deserves a more specific statement. This is the publicity which is given to market quotations. Time was when deception was easy regarding prices of all products, because of the difficulty of communication between markets. Even within recent times people have starved in one province of China while grain rotted on the ground in another, because there were not means of communication and transportation.

The fact that it is still possible, within narrow limits, to make a profit through exclusive information gives a bad odor, in the minds of the unreflecting, to the produce and stock exchanges. But it is the whole purpose and tendency of their organization to reduce such possibilities of deception to the narrowest point. It is only necessary to contemplate for a moment what might happen in the absence of organized markets to conclude how much they have contributed to do justice between the producer and his patrons. The producer cannot be deceived as to the judgment of those who make it a business to study present and probable changes in prices. The market reports will tell him what is

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the judgment of those who in order to ascertain the truth are paying millions of dollars to experts, to telegraph lines, and to cable companies. By the expenditure of a few pennies for a daily journal, nearly all the benefits of their outlay and the conclusions they have reached are brought to his door every morning, put into the tangible form of prices.

Publicity, therefore, is one of the obvious benefits of the system of organized markets. It is not a publicity, moreover, which is limited to the present. Equally public is the judgment of all these experts, based upon all the millions they have spent for learning the truth, regarding the future prices of products as reflected by prices for future delivery. False information is sometimes disseminated; errors of judgment sometimes occur. There is not space here to discuss these in detail. It may be freely admitted that these abuses are enormous, that these errors are great and sometimes wilful. But they cannot begin to cause to the humble producer on the farm or the cotton field the errors and losses he would suffer if he were at the mercy of the travelling and irresponsible agents of great speculators who kept their information secret, and who paid their millions for the purpose of deceiving the community. False information no longer misleads for any considerable time; it no longer goes far. If the rash owner of millions undertakes to corner a market, he usually suffers the penalty himself. He finds that he is dealing with the unseen forces of truth throughout the world, which baffle his calculations by unmasking his deceptions, or by drawing from remote quarters, under the attraction of high prices, the unsuspected reserves of the products which he seeks to manipulate.

The stock market offers the most effective safeguard to-day against unexpected demands upon the money market. By providing a means of exchange which supplements metallic money in international operations, the stock market gives to the money market that wonderful elasticity which permits loans of hundreds of millions to be floated without disturbance, and which enables the larger markets to resist catastrophes with a firmness and a readiness of rebound which would not have been possible in transactions of such magnitude half a century ago.

Nothing can be more beautiful from the standpoint of pure reasoning, and nothing is more vital to the smooth working of the great machine of modern civilized life than this transfer of capital through the mechanism of the stock market. Let us suppose the volume of capital seeking investment, both permanent and temporary, to be as large as it is to-day, but without any common markets in which transferable securities could be sold. Then what would happen if a sudden demand for money should

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fall upon London, Paris, or New York? If the entire demand had to be met in gold, or even in trade bills of exchange, the result would be a drain upon the market where the money was demanded which would result in convulsion upon convulsion, in the impairment of values below any point ever reached in a "stock market panic," and in the paralysis of the whole industrial mechanism of the country. Mills would stop and wages would cease to be paid, because the commercial banks would be called upon to denude themselves of gold and commercial bills, so that they would hoard with the tenacity of terror what little money they had left.

How does the stock market avert such dangers? Simply by substituting securities for money. If money becomes plentiful in a given market like New York, the surplus gravitates to the stock market. This increases the offer of money for securities, and the prices of securities rise. Such securities are then drawn by the magnet of high prices from other markets, where money is less plentiful and prices are lower. The money, in other words, is drawn from the market where it is redundant to the market where it is most needed. It becomes profitable to sell securities for money where they bring a good price, because the money obtained for them can be lent at a high rate in the market where it is scarce. The rate of interest for money thus coöperates with the fluctuations in securities to maintain, in the supply of money and loanable capital, a balance which is the more accurate in proportion to the ease with which securities and money move between markets.

The cost of shipping gold was once a controlling factor in the difference in the rates for money. Securities have now to a large extent taken the place of gold in these international exchanges. The cost of shipment is smaller, the risk is less, and the time required for making transactions has been reduced by the use of the telegraph, the ocean cable, and the telephone. The larger the ownership of foreign securities on a given market, the more elastic is the cushion which that market presents against sudden shocks. Foreign securities do not usually suffer impairment from the same causes which affect domestic securities, and they therefore represent in international transactions the most perfect substitute for money. The nation which possesses a store of such securities of the first class is better protected against disaster than by idle hoards of gold.

The Germans learned this to their chagrin when they imposed their great war indemnity of $1,000,000,000 upon France in 1871. There was not gold enough or silver enough in all France to pay the debt. If

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it had not been for the mechanism of the stock market, business in France would have been brought to a halt through the loss of the tool for carrying it on. But Frenchmen owned many millions of foreign railway and government securities. These were thrown on the market, and were bought in London, Berlin, and Brussels; and the crafty Frenchman had then only to give an order to his government for the transfer of the proceeds of his sale to Berlin, without surrendering a franc in coined money to the conqueror. This was only one of several classes of operations by which the indemnity was discharged; but it may be truly said that the mechanism of the stock market and the international money market saved France from convulsions which would have reacted disastrously upon the civilized world.

The stock market, therefore, acts as a reservoir and distributor of capital, with something of the same efficiency with which a series of well-regulated locks and dams operates to equalize the irregular current of a river. The hand of man is being stretched out in the valley of the Nile to build great storage basins and locks, that the waters which flow down the great river may be husbanded until they are needed, when they are released in small but sufficient quantities to fertilize the country and tide over the periods of drought. Something of the same service is performed for accumulations of capital by the delicate series of reservoirs, sluice gates, and locks provided by the mechanism of the stock market. The rate of interest measures the rise and fall of the supply of capital, as the locks determine the ebb and flow of the life-giving water. The existence of negotiable securities is in the nature of a great reserve reservoir, obviating the destructive effects of demands which might drain away the supply of actual coin, and preventing the panic and disaster which, without such a safeguard, would frequently occur in the market for capital.

The legitimate employment of the produce and stock exchanges by men who know what they are about tends to reduce the speculative element in business operations rather than to increase it. This is one of the most useful functions of the exchanges. To put an illustration simply, let it be assumed that the owner of a cotton mill deals directly on the exchanges instead of through the machinery of brokers. If he has made a contract for the delivery of a large quantity of cotton goods in China in January next, it is highly important that he should obtain his raw material at the present prices. Accordingly, he enters the market and buys cotton "futures" — that is, contracts for cotton to be delivered to him at some specified date when he knows that he will need it for his mills. If he can buy "futures" at prices which ensure a profit, he is

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protected against the subsequent fluctuations in the cotton market. The contract with the Chinese importer is reduced from a dangerously speculative enterprise, so far as it affects his profits, to one of simple business calculation.

But suppose that cotton begins to fall below the price which he was willing to pay. Is he not a loser by the amount by which the price he has paid for "futures" is above the prevailing price? Fortunately not. The varied resources and flexibility of the exchanges afford him a means of protection. He has only to enter the market and sell "futures" at what he now believes to be the proper price. If this price is higher than he thinks will be the actual price in September, he will be able when September arrives to buy cash cotton at a price which will enable him to meet his sales of September futures at a profit. Thus, even if he is obliged to accept the consequences of his first error by paying too much for one lot of September cotton, he has partially offset it by his profit on his later sales of futures and his purchases of cash cotton. The intervention of the speculator in these matters relieves producers and manufacturers of much of the risk by his assuming it for himself. His function was well described by Mr. Arthur Raffalovich in the introduction to one of his annual volumes on the money market:

"The receiver of margins is an insurer. By means of the margins which he receives on both sides, he binds himself to accept delivery from the producer in case of a fall and to deliver to the manufacturer in case of a rise. Every insurer should determine the amount of his margins by the extent of the risk. The insurer who conducts only one operation risks much, but when he conducts many operations the margins which he earns cover the risks which he runs."

It is this means of averaging losses and gains which lies at the basis of legitimate operations on the exchanges. Life insurance is a speculation upon the chances of death — perhaps the most immoral of all speculations conceivable if looked at with the jaundiced eye with which the produce and stock exchanges are too often regarded. But life insurance has been reduced to a science, and protection against risks in dealing in staple products and in capital has also been reduced to a science by those who have made it a study. Neither wheat nor cotton nor money could be handled so smoothly and economically, or sold or rented on such favorable terms, if these opportunities for insurance were not afforded by the machinery for buying and selling "futures" on the produce exchanges, and by "long" and "short" sales on the stock exchanges.

The produce exchanges serve as the best illustration of the principle involved in most of these transactions, because cotton and wheat present

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a more tangible reality to the average mind than the abstraction of loanable capital. But the operation is substantially the same, and its purposes are substantially the same, in the stock market. The man who believes that a given security, like a railroad stock, is selling for much more than its legitimate value enters the market and sells "short" in order to make a profit from the subsequent fall. In selling "short" he acts purely in his own interest, but he unconsciously renders a public service. He increases the offer of the security, and thereby tends to depress the price toward what he believes to be the legitimate price. This is the function of the "bear" in the security market. When shrewd brokers or speculators are selling "short" in any given security, it is pretty good evidence that they believe that the earning value of the security is below its price at the time, and that the price will soon fall to the real value.

Thus the existence of organized markets operates in more ways than one as insurance against loss and excessive fluctuations. It not only affords protection to the individual, by enabling him to "hedge" when he has made a mistaken calculation, but it affords protection to the whole community by applying the test of the pessimistic judgments to the bubbles blown by the optimistic. John Law, who wrecked French finance early in the eighteenth century, would hardly have been able to carry the shares of his company to more than 3,000 per cent of par if the system of "short" selling had been thoroughly understood and practised by a coterie of intelligent brokers. He might have denounced "short sales," in the Populist jargon, as selling "wind;" but he would have found that these sales were steadily forcing down the price of his paper, and saving thousands from ruin by pricking the walls of his expanding bubble before it became too large.

What has gone before is an exposition of the nature of legitimate trading on the exchanges. There are two forms of abuse which are assimilated to legitimate trading in such a way as to create confusion in the public mind. One of these has no connection whatever with the regular market, although it is often assumed by the ignorant to be only a reflection on a smaller scale of the operations of the exchanges. This is the form of gambling carried on in "bucket shops." These shops are places where bets are taken, in a somewhat disguised form, on the course of the market. The customer bets that a given stock will rise, by putting up a "margin" to be forfeited if it falls, just as the gambler at Monte Carlo bets against the bank. The radical difference between this transaction and that on the regular exchanges is that the bucket shop usually places

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no orders for the articles purported to be dealt in, and that its operations cannot affect demand and supply in the market. The transaction on the exchanges, however speculative it may be, involves the obligation to deliver the article, and in the case of securities the actual pledging of the securities for the loan obtained to buy them. The "margin" in this case represents the difference between what the bank is willing to lend on the securities, and the amount required to make up the market price. This is actually a margin within the meaning of the term, while the bucket shop "margin" is only a wager and not a margin. Operations on the exchanges are sometimes unduly speculative in motive, and are made without due examination of the facts necessary to an intelligent purchase or sale. To this extent they constitute an abuse, but in form they are not distinguishable from legitimate transactions. How these abuses create misconceptions is well illustrated by the following editorial paragraph from a leading Eastern newspaper:

"Sporting men generally view James R. Keene's distinction between gambling and stock speculation as equally applicable to betting on horse races or prize-fights. Mr. Keene says that he does not gamble in his stock operations, because all of his buying and selling on the exchange is based on deep study of the properties which the stocks that he speculates in represent. If he buys or sells a railroad bond it is because he has investigated closely the condition of that particular railroad, and has reached an intelligent conclusion as to its earning capacity. The 'based-on-knowledge' theory, however, can be applied far and wide. The bettor on horse races makes a close study of pedigree and training and conditions generally before trying to pick the winner."

No better text than this could be found as a basis for drawing a distinction which is vital in these matters. What may be the character or methods of Mr. James R. Keene — whether good, bad, or indifferent — is not pertinent to the purposes of this article, except for the fact that he deals in actual securities on the stock exchange. If a man is not justified in buying securities because he believes they have value and selling them because he believes they are losing value, it is pertinent to ask what motive should control the course of investors? The writer of the paragraph quoted apparently mixes up two different things — legitimate trading on the exchanges, and betting on the fluctuations of the market through the bucket shops.

If Mr. Keene was a bucket-shop patron, he would correspond to "the bettor on horse races." But this is just what he is not, if he is a dealer in securities on the stock exchange. The critic has chosen his comparison with art, because some degree of unconscious odium may attach to the occupations of horse dealers and jockeys, just as it attaches in the minds of certain people to brokers, by the reflected discredit which is

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legitimately cast upon bucket-shop operators. But the question whether breeding horses is legitimate is apart from the issues involved in the comparison. If the highly developed horse has a reason for being, then those who develop him are doing a legitimate business. They are seeking by the study of pedigrees, the crossing of blood, the analysis of foods, the improvement of training, and the best medical care to develop the noblest type of a useful servant of man. The agents or brokers who act for them in the city marts are also engaged in a legitimate business, growing out of the principle of the division of labor.

The man who buys a horse because he believes it is valuable or sells because he believes it has lost its value is exerting a legitimate influence upon the horse market. He "makes a close study of pedigree and training and conditions" because he is interested in the goods dealt in. The man who simply bets on the result, who "makes a close study of pedigree and training and conditions generally before trying to pick the winner," is not doing anything to affect the legitimate market for horseflesh or to raise or depress the price of horses. The man who bets on a horse race is in precisely the position of the man who bets in a bucket shop. Both are gamblers; neither is doing an act which legitimately affects the market; and neither is entitled to any sympathy for his losses or to any special protection by law. Both classes differ radically from actual dealers in horses or in securities.

If the operation of the stock market is beneficent, therefore, under proper conditions, those who deal in the commodities with which the market is concerned are rendering a useful service to the community. They are not doing it as a gratuity. They act from the motive of self-interest. This is the motive which governs the grocer when he locates a shop in a community where he believes that there is a demand for groceries. His motives and the manner of his speculation are exactly identical with those of the intelligent dealer in foreign exchange or of the broker who deals in securities, except that his operations are on a more modest scale. The grocer obeys the law of marginal utility, by seeking the location where he believes there is the greatest need for a new shop. He speculates in futures when he lays in stocks of goods for which he has not received orders. He buys at a given price in the belief that he can sell in future at a higher price. He often takes orders at a given price for goods which he does not possess, in the belief that he can buy in season for delivery at a price which will afford him a profit.

This paper is not written to explain all the intricate details of the stock exchange, or to defend the deceptive manipulations which are at-

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tempted by great promoters. The magnitude of modern transactions sometimes involves a menace to the accuracy of the barometer afforded by the stock market, which should serve as a warning to the uninitiated to keep out of it. It is the judgment of experienced brokers that an outsider who speculates continuously never ends as a winner. All these phenomena, however, are only abuses of a legitimate institution. If fortunes are accumulated in a few hands to a degree which threatens the safety of the country and impairs the truthfulness of the barometer of values afforded by the stock market, it is an evil for which a remedy should be sought in other directions than by railing against the market. If a few kings of finance have seized upon the machinery of the market to do wrong, it is no more than they have done with the machinery of government, with patents of priceless value to the community, or even with the necessaries of existence. The fact that the stock market exists as a part of the mechanism of modern credit may aid them in doing wrong; just as the facilities afforded by the railway and the telegraph may be abused. The remedy for the misuse of a delicate and useful machine is not to smash the machine, but to do all that is possible to restrict it to its legitimate use. CHARLES A. CONANT.

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THE SPANISH TREATY CLAIMS COMMISSION.

UNDER the rather infelicitous name of "The Spanish Treaty Claims Commission," a new official organization has been started in Washington, purporting to have for its object the adjudication and settlement of a certain class of claims of citizens of the United States against Spain. These claims the President of the United States thought fit to relinquish, in his desire to exhibit "signal generosity" toward Spain,[1] and in consideration of his demand upon her to cede and transfer to the United States her sovereignty over Porto Rico, over all the Spanish islands in the West Indies except Cuba, and over the island of Guam in the Ladrones. It is for students of constitutional law and political science to discuss by what legal authority the President forced Spain to dismember her territory in favor of the United States.[2] If he took this action in his capacity of Commander-in-Chief of the Army and Navy of the United States, the proper channel to exercise this authority would have been the War Department, rather than the Department of State. The result has been to throw into the background the most explicit declarations that no "designs of aggrandizement" or "ambitions of conquest" had in any manner or form prompted the war with Spain. The fact, however, has been accomplished, and if wrong it was righted, and if right it was confirmed, by the subsequent treaty of peace, which was signed at Paris, on December 10, 1898, and which, upon its approval by the Senate by a bare majority, was proclaimed by the President on April 11, 1899.[3]

[1] Secretary Day to Duke Almodvar del Rio, July 30, 1898.

[2] In former times the President could not, without the authority of Congress, even take possession of territories ceded by treaty to the United States. In the case of Louisiana, in addition to the approval of the treaty by the Senate, an act was passed, which was approved October 31, 1803, "to enable the President to take possession of the territories ceded by France to the United States, etc." (U. S. Statutes at Large, ii, p. 245). In the case of Florida, a similar act authorizing the President to take possession of and occupy the territories, etc., was passed and approved, March 3, 1821 (U. S. Statutes at Large, iii, p. 67).

[3] The treaty hung in the balance for more than four weeks, and it was ratified only by the aid of ten Democratic votes influenced by Mr. Bryan, who was simply and vainly seeking a party advantage. (See Mr. Henry Loomis Nelson's paper in

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By article II of this treaty solemn form was given to the cession by Spain of all the islands which the President had demanded; and by article VII of the same the fact was stated that the United States relinquished all claims of its citizens against Spain "that may have arisen [the text does not say where] since the beginning of the late insurrection in Cuba, and prior to the exchange of ratifications of the treaty." The article further says: "The United States will adjudicate and settle the claims of its citizens against Spain relinquished in this article." The negotiators of the treaty on the part of Spain insisted upon perpetuating in some way on the record the fact that the cession of the said islands (article II) had been made in consideration, in part at least, of the relinquishment of these claims. The American negotiators recognized the justice of that insistence, and, as shown by protocol No. 10 of the Conference (October 27, 1898), the President of the American Commission stated that articles II and VII should stand as they were, but that the American Commissioners did not mean thereby to be understood that it should not appear in some proper form in the treaty that the cession of Porto Rico and the other islands above referred to was "on account of indemnity for the losses and injuries of American citizens and the cost of the war." This declaration satisfied the Spanish negotiators.

The Congress of the United States saw itself confronted, at this juncture, with an unexpected and rather unwelcome problem. It was not, unfortunately, the only one of its kind produced by the war. As Mr. Sidney Webster has put it, with grim humor, in his interesting article, "Revelations of a Senate Document," [1] many a thing brought about by it has been, "like evolution in the terms of Darwinian science, an unintended result."

It was not new for the United States to assume claims of its citizens against Spain or against other nations, and to undertake to adjudicate and settle them. By the treaty between the United States and Spain, concluded at Washington, on February 22, 1819, the United States exonerated Spain from all demands for certain American claims; undertook to make satisfaction for them; and appointed three of her own citizens as a Commission which should within three years from its first meeting "receive, examine, and decide upon the amount and validity of all the claims" in question. For the purpose of carrying this arrangement

"Harper's Weekly," June 22, 1901.) In spite of this "unexpected" assistance, the majority thus secured did not exceed two votes.

[1] "North American Review," June, 1901.

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into effect, Congress passed an act, approved March 3, 1821, which provided for the appointment of the said Commissioners, the payment of their salaries, the payment of the awards they should make, etc.

By the treaty between the United States and Mexico, concluded at Guadalupe Hidalgo, on February 2, 1848, the United States exonerated Mexico from certain American claims; undertook to make satisfaction for them; and appointed a Commission of citizens of the United States to ascertain their validity and amount. For the purpose of carrying this arrangement into effect, Congress passed an act, approved March 3, 1849, for the appointment of the Commissioners, the payment of their salaries, the payment of the awards they should make, etc.

In other cases, not identical but analogous, the Congress of the United States has been called upon to take the same action. But the problem solved on these occasions was different in a very important particular from that to be solved now. The responsibility in the case of Spain, under the treaty of 1819, was limited to $5,000,000. That in the case of Mexico, under the treaty of 1848, was limited to $3,250,000. And in all the other cases — such as the distribution of the $80,000 of the *Virginius* indemnity, and of the $15,500,000 of the Geneva award — it was limited to the amounts respectively paid in cash by Spain and Great Britain. In the case of Spain under the treaty of peace of 1898 the responsibility had no limits fixed, and was indefinite. It might be $16,000,000; it might be $40,000,000; it might be still more.

The Congress of the United States, especially the House of Representatives, which had had nothing to do with the conclusion of the treaty of peace, hesitated considerably before doing anything, and hesitated with reason. About three years were spent in protracted debate upon different propositions, four or five in number, presented in the House and in the Senate. On March 2, 1901, in that haste which renders legislation secured in this way particularly obnoxious if not dangerous, Congress passed an act, which the President approved immediately, providing for the appointment of "five suitable persons learned in the law, who should constitute a Commission . . . to receive, examine, and adjudicate" claims against Spain which "the United States had agreed to adjudicate and settle." This Commission of five persons, versed in the law, and suitable to the President and to the Senate, proved to consist of ex-Senator William E. Chandler, of New Hampshire, President; Mr. Gerritt J. Diekema, of Michigan; Mr. James Perry Wood, of Ohio; Mr. William A. Maury, of the District of Columbia; and Mr. William L. Chambers, of Alabama. It met at the Depart-

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ment of Justice, at eleven o'clock in the forenoon, on Monday, April 8, 1901, and officially inaugurated its work. The act of Congress which created it provided that it should last two years and "no longer"; but unfortunately, this wise provision was coupled with another which renders it nugatory. At the end of the two years — during which time men conversant with such business could easily dispose of all the cases justly, satisfactorily, and at very little cost comparatively for the United States — the life of the Commission can be revived for six months, then for another six months, and so on indefinitely, unless stopped by Congress. A rumor is prevalent that the Commission itself entertains the expectation that it will live five years; and nothing in the world, except Congress, can prevent a repetition of the spectacle presented by the United States and Spanish Claims Commission of 1871, which consumed not less than twelve years in disposing of a docket of only 140 cases, about one-half of which were either withdrawn, or consolidated with others, or thrown back again into the channels of diplomacy.

The expense which the United States will have to incur, especially if the life of the Commission is extended, will be appalling. If it proves in the end, as anticipated by many, that the efforts of the Commission tend primarily toward minimizing the pecuniary responsibility of the United States on account of these claims, the practical result for the Treasury and for the American tax-payers will be about the same. It does not make much difference to the Treasury of the United States, or to the American tax-payers, whether the money of the American people is expended in paying the just claims of American citizens which the President relinquished, through "generosity" to Spain and in consideration of vast acquisitions of territory, or in paying the salaries and expenses, no doubt well earned and legitimate, of the new Commission. At any rate, it is certain that the Commission will have to apply for more money in the next session of Congress, and that, if it does not obtain it, it will be bankrupted. The amount appropriated is $50,000 per year; and the expenses, at least for this first year of its life, will perhaps double that amount.[1]

[1] Five Commissioners at $5,000 each per year; one clerk for each Commissioner at $1,200 per year; a Secretary at $3,500 per year; an Assistant Attorney-General at $5,000 per year; two assistants to the Assistant Attorney-General at $2,400 each per year; a clerk and interpreter to the Assistant Attorney-General at $1,800 per year — these make a total of $46,100 in salaries alone. No messengers are accounted for in this amount. The Secretary, who, as in all cases of this kind, is the one most heavily burdened and the least rewarded, is not allowed an assistant. Add to this amount the rent of the house, $3,000 per year, and the balance left of the whole appropriation

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Be that as it may, no well-wisher of the Government of the United States will hesitate to express an ardent hope that the labors of this Commission will prove to be for the honor and credit of the Republic.

The Commission has started with a thorough misconception of its purposes and of the scope of its authority. It seems to regard itself as a court, and not as a board of audit. It appears to think that it is a common law court, having common law jurisdiction; that the prosecution of the claims before it is the prosecution of common law actions; and that nothing can come before it except through the channels of common law procedure. In reality, if it is a court, it is only a court of equity, which has been commanded to set aside technicalities, and to obey only the broad dictates of equity and public international law. It seems also to believe that it has extra-territorial powers, for, instead of getting testimony in foreign countries through letters rogatory, as the courts of the United States do,[1] it intends to send commissioners to Cuba, and to give them power to summon witnesses. It wishes, furthermore, to subject perjurers in Cuba to prosecution and punishment, not under the laws of Cuba, but under those of the United States. It has gone so far as to give itself power, under one of its rules, to summon claimants residing in a foreign country to appear before it in Washington, as if it actually possessed authority to serve writs outside the jurisdiction of the United States.

If the fairness and impartiality of the Commissioners were not far above suspicion, the conclusion might be drawn that they were inspired with the vulgar prejudice, discredited though it is by the United States Government itself, that the claims which they have to adjudicate and settle are fraudulent. As these claims were one of the causes of the war, and as this country would not have gone to war with Spain to cause frauds to be consummated, the slander of the imputation would bear more hardly against the Government of the United States than against the claimants.

It is absolutely certain that the negotiators of the treaty of peace, when framing article VII of that instrument, and thereby giving a more formal expression to the arrangement which had been consummated about four months before, in the peace protocol signed at Washington on August 12, 1898, did not think for a moment that they were laying

is $900. As the house has been repaired and its plumbing modernized, and as heavy expenses have also been incurred in furniture, etc., the Commission will be in a bad plight if Congress does not come to the rescue.

[1] See Revised Statutes, section 875.

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the foundation upon which such a High Tribunal should be eventually built. They did not contemplate the institution of a court having jurisdiction to take up the said claims *de novo;* to change them from being claims against Spain into claims against the United States; to place them upon the Procrustean bed of the forms and technicalities of the common law of England; to discuss again the principles upon which they were founded, prosecuted, and diplomatically pressed, three years before the war, by the State Department; and to reverse the action of the latter, if so deemed proper, upon an interpretation of the international law of the case different from the interpretation which the State Department had chosen to entertain and adhere to, crippling thereby the transaction by which the United States inaugurated the era of territorial acquisitions beyond the sea. But the creation of such a monstrosity would not, after all, be anything but a further illustration of Mr. Sidney Webster's remark, above quoted. It would be a new "unintended result," which the people of this country have been called upon to contemplate since the memorable day on which Spain, the lawful sovereign of Cuba, was ordered by the United States to vacate her own territory.

If article VII of the treaty of peace with Spain is understood, as it should be, according to its spirit, and even according to the strict literal meaning of its words — "The United States will adjudicate and settle the claims of its citizens against Spain relinquished in this article" — no possibility seems to exist of including in the list of the claims which are to fall under the jurisdiction of this Commission any one which was not on file or in some way inchoated in the State Department of the United States previous to December 10, 1898, when the relinquishment thereof was formally made, or, more properly still, previous to August 12, 1898, when the agreement to relinquish the said claims in exchange for territorial acquisitions was consummated.

Under the construction which seems to have been placed upon the words occurring in the first part of the article, "all claims . . . that may have arisen since the beginning of the late insurrection in Cuba, and prior to the exchange of ratifications of the present treaty," the question arises whether the claims presented subsequently to August 12, 1898, or December 10, 1898, or between the latter date and April 11, 1899, when the ratifications of the treaty were exchanged, can properly be adjudicated and settled by the Commission. It is also open to discussion whether claims against Spain which may have arisen between the limit *a quo*, namely February 24, 1895, and the limit *ad quem*, namely, April 11, 1899, not in Cuba, but in the Philippine Islands, or

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in Porto Rico, or in peninsular Spain herself, also fall properly under the jurisdiction of the Commission. A construction of this kind, even if merely attempted, would certainly be welcomed by those who have some interest in the perpetuation of the life of the Commission, with all the advantages derived therefrom, such as the enjoyment of large salaries, the protracted exercise of authority, etc.; and it would certainly be another "unintended result" of the arduous work of the negotiators of the treaty of peace.

If article VII of that instrument is construed, as it must be, in close connection with all the facts that were disclosed by the diplomatic correspondence, and by the discussions in Congress which preceded it, and have a bearing upon it, the conclusion is inevitable that all these claims of citizens of the United States against Spain — for wrongs done to their persons or property, from February 24, 1895, to April 11, 1899 — have to be taken up, not *de novo*, but in the condition in which they stood, in the Department of State, in the moment in which the Commission was organized and began its labors. The position that each case has to be started before the Commission *de novo*, as if nothing had been done in it during the diplomatic discussion which preceded the war, and that the doings of the State Department during that period of discussion can now be revised and reviewed by the Commission, and approved or disapproved by it as it may choose, is absolutely untenable. The diplomatic organ of the sovereign which is called "The United States of America" is only and exclusively the Department of State; and what the Department of State did in this line cannot be undone without manifest impropriety, and even lack of official courtesy, by any other organ of the same sovereign, whether an Executive Department, a Court, or a Commission.

If International Commissions of arbitration have the power to overrule, when they deem proper, the diplomatic action of the United States or of any other sovereign who is party to them, it is only because the said power is expressly given to them by agreement of the sovereigns who concurred to create the Commissions. It is not improper for a Government to allow, for the high purposes of international peace and arbitration, its own action to be reviewed and possibly overruled by a third party. It would, however, be absolutely improper and anarchical that a commission, appointed to assess the amounts of money due to each claimant in cases which the Government presented and pressed against another Government so far as to secure from the latter, in payment of the same, a cession of territory, should be permitted to come

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and sit in judgment upon the action of its own Government, to discuss the principles which the latter thought it fit to maintain, and eventually to overrule them. It was, no doubt, permissible for Mr. William E. Chandler, when in the Senate of the United States, to attack with peculiar vehemence the refusal of the administration, under both Mr. Cleveland and Mr. McKinley, to acknowledge the belligerent status of the Cubans; but it would be exceedingly improper for the same gentleman, when President of the Commission, to try to enforce his own convictions, and defeat, through them, claims which are good only because the Government of the United States had the misfortune not to agree with him in his views upon the subject.

Let me put it more plainly. Many of the claims which the Commission had to settle are founded upon the destruction of American property in Cuba at the hands of the insurgents. If these claims had any value, and if the Government of the United States could properly take them up to the extent of making them a *casus belli*, it was no doubt because of its refusal to acknowledge the belligerency of the insurgents. In the eyes of the United States they were nothing more nor less than a mob, and therefore the Spanish Government could be called to account for their action. But if the enlightened President of the Commission continues to believe that Mr. Cleveland and Mr. McKinley were wrong in closing their eyes to the fact, clear to his own, that the Cubans were belligerents, what will become of these claims? What will become also of the claims founded upon the destruction of property by the Spaniards? Both parties being belligerents, no just claim can be based upon the exercise, by the one or the other, of the supreme power which the necessities of war inevitably bring.

Would it not have been better, in view of a possibility of this kind, and for the sake of saving money, time, and credit, to try to settle this point in the first place, by the enunciation of a guiding principle? The thing could have been done very easily, if the Commission had not adhered to its erroneous belief that it is a court of common law, and that it cannot allow deviations from the rules of pleading and the forms observed in such courts.

There is a case before the Commission in which the claimant and his lawyer made an effort, although in vain, to have this matter settled. The case is very small pecuniarily, involving no more than $3,000. It is founded exclusively upon the destruction of the claimant's property by a band of insurgents, on September 5, 1895. The case was presented to the State Department on April 17, 1899, and the State Department

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had on its files all the evidence relating thereto. Great pains were taken to obtain correct copies of everything that had been presented to the consideration of the Secretary of State. A petition was drawn and printed, giving frankly and minutely all the facts of the case. The certificate of naturalization of the claimant, the title papers of his property, Spanish certificates showing his neutrality, and other papers showing that the destruction was made by the insurgents were appended as "exhibits." Had the Commission so wished, the whole question could have been settled at once and without difficulty. The decision in this case would have served as a precedent for all others. In the event of the decision being that Spain was not responsible for the wrongs done by the insurgents, much less for wrongs done to Americans who were not neutral but acted in more or less direct connivance with the insurgents, about two-thirds of the claims would have been eliminated from the docket. But the learned ex-Congressman who represents the Attorney-General's office before the Claims Commission did not hesitate to declare, at the public meeting of May 22, 1901, that if such ideas as those expressed by the lawyer in the case were to find favor before the Commission, he would "pack up his books and return to his home in the West." Of course, before this irrefutable argument all opposition vanished.

It was bad enough for the Commission to call itself "The Spanish Treaty Claims Commission," without specifying to which Spanish treaty, or to which claims, it intended to refer — whether to a treaty concluded between Spain and the United States or to one between Spain and any other power; whether to claims under the recent treaty of peace, or to those under any other treaty with Spain. As it happens that in addition to the Spanish-American treaty of peace, out of which "The Spanish Treaty Claims Commission" has sprung into existence, there is another Spanish-American treaty, which survived the war, or was renewed after it, and refers to claims and indemnities — namely, the treaty of February 17, 1834 — the unsuitability of the name adopted by the Commission appears still more flagrant. But certainly it was worse for the Commission to begin its labors, as it did, under the belief, to which it has unflinchingly held, that the claims which it has to adjudicate and settle are claims of individual citizens of the United States against the United States. The learned ex-Congressman who represents the United States before the Commission has gone so far, in his zeal to maintain this point, as to move the dismissal of petitions on the ground that they "lacked proper caption and title." If this means anything, it means

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that petitions stating a claim which the United States enforced against Spain at the point of the bayonet are to be dismissed, no matter how just, because the petitioner did not write at the top of his paper the inaccurate caption "Spanish Treaty Claims Commission," and the erroneous title "A. B., claimant, *vs.* the United States"!

All this is wrong and untenable. The claims to be adjudicated and settled by the Commission are not claims of individual citizens of the United States, but claims of the Government of the United States, or, in other words, national claims. They are not claims against the United States but claims against Spain, in which the United States has been from the beginning plaintiff, not defendant. That this fact was recognized by Congress when creating the Commission appears clearly from the language of the act approved March 2, 1901. It refers to these claims not as claims against the United States, but as claims against Spain. And how could it be otherwise? They do not arise out of any injury done by the United States to the persons or property of her own citizens, but out of injuries done by Spain, or her authorities, to citizens of the United States, in violation of rights secured them by treaty or by the general principles of public international law.

As claims against Spain they were presented by the State Department to the consideration of the Spanish Government, and on some occasions, as for instance in the Ansley case, the language used in their presentation was rather forcible.[1] As claims against Spain they were discussed with that nation, and in more than one instance, when the defence made by Spain was not deemed sufficient — as, for example, in the case of the killing of Charles Govin, a young correspondent of the "Key West Equator Democrat," who was captured by the Spaniards and hacked to pieces with a machete — Spain was not treated with leniency.[2] As claims against Spain, which Spain had refused to settle in a manner satisfactory to the United States, they were taken up by Congress and by the President, and were made, as officially declared, one of the causes of the war between the United States and Spain. And as claims against Spain the responsibility thereof was assumed by the United States when the peace was made, because, as has been stated, the President desired to make an exhibition of signal generosity toward Spain, and to acquire Porto Rico and other islands. Thus it might be said with perfect propriety that these claims of the United States against Spain have been paid by Spain, and that the only thing

[1] Mr. Olney to Señor Dupuy de Lome, September 7, 1895.
[2] Mr. Rockhill to Mr. Lee, August 18 and 20 and October 8, 1896.

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to be done now by the United States in relation to them is to assess to each claimant in money the particular share which belongs to him of the lump sum disbursed by Spain in the shape of territory and sovereign rights.

According to this view of the case, the duty of the Commission is exactly the same as that which devolved on the officials who distributed the *Virginius* indemnity, paid in a lump by Spain, or on the Commissions, parallel with the present one, which adjusted the claims, assumed by the United States, of citizens of the United States, for injuries done to them by Spain and by Mexico, respectively. It cannot be doubted that if there had been no war these "claims of our citizens for injuries done to their persons and property during the late insurrection in Cuba," as Mr. Secretary Day said, would have been either collected in full, or compromised, or submitted to arbitration as claims of the United States, and that in the case of submission to arbitration the Government of the United States would have appointed an agent or advocate whose duty it would have been to defend the claimants before the arbitrators.

Under the strange transformation or transmutation of the United States, which the Commission wishes, from plaintiffs into defendants, the claimants are placed in the awkward and undesired necessity, practically hopeless, of fighting against their own Government, from which they have received no injury, and against which they have never raised, and do not wish now to raise, their voices. Some of the claimants, who are now filling in Cuba and elsewhere positions of honor and trust under the Government of the United States, are placed by it in the puzzling alternative either of violating section 5498 of the Revised Statutes, or of giving up their claims; because, if these claims are claims against the United States, and the claimants press them, they are liable to indictment and punishment by fine and imprisonment. Some other claimants see themselves in the embarrassing position, which in some cases may be cruel, of being unable to raise any money upon their claims; because, under section 3477 of the Revised Statutes, they are not assignable if they are claims against the United States.

But the situation in which the Department of State is left by the transmutation is infinitely worse. That Department is the only constitutional and recognized organ of the Government of the United States in these matters,[1] and it will see itself, nevertheless, in the almost intolerable position of having its diplomatic action inquired into, criti-

[1] See section 202 of the Revised Statutes of the United States.

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cised, and perhaps reversed and rebuked by five citizens of the United States, who, as such, are bound in all cases, when acting officially, to respect what their Government has done, and to abide by it. The theory of the courtesy which is due by one branch of the Government, no matter how high, to another branch, was admirably explained in the passage quoted by Dr. Wharton in his "Digest of the International Law of the United States."[1] With how much more reason must it be preserved between temporary boards or committees — created for special purposes, and always of secondary character — and the regular and permanent organs of the sovereign.[2]

Another point of importance is still to be considered. The claims which this Commission has to adjudicate and settle are private property, as much so as houses and lands, which the Government in the use of its right condemned, it might be said, for public use. But as no property in the United States can be condemned without indemnification, this property of the claimants, which the claimants would have recovered from Spain if the United States had not exonerated her from her responsibility, has to be paid by the United States. The Government of the United States, when dealing with the claims of its citizens, can, of course, abandon them, or compromise them, or consent to their submission to arbitration, or relinquish them *in toto*, as was done in this case, for some valuable consideration or even without it; but all this can be done only, as in the case of houses and lands taken and condemned for public use, upon payment of the proper indemnification. The following authorities confirm this position:

"A release by the United States to a foreign Government, in part consideration of a cession of territory, of an indebtedness to an American citizen, acknowledged to be valid, is a taking of private property for public use.[3]

"Should the Government of the United States, either by neglecting in pressing a claim against a foreign Government, or by extinguishing it as an equivalent for

[1] Vol. ii, p. 220.

[2] It is to be noticed that no claim against a foreign Government is admitted or pressed by the State Department without the approval of the Attorney-General of the United States, represented to that effect by an officer who is called the "Solicitor" of the Department, or, more properly, "The Examiner of Claims." This officer and his assistants are appointed by the Attorney-General, belong to his office, and are paid out of the funds thereof. The spectacle, therefore, of an Assistant Attorney-General trying to undo in the Commission what another Assistant Attorney-General has done in the State Department, and of both things being done in the name of the United States and invoking her name, would certainly be strange.

[3] The United States Court of Claims, in Meade's case, 2 Nott. & H., 224. See Dr. Wharton's "Digest of the International Law of the United States," vol. ii, page 711.

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concessions from such Government, impair the claimant's rights, it is bound to duly compensate such claimant."[1]

"The case of sovereign power lawfully applied to the extinguishment of a private claim is without a doubt a case of national obligation to pay an equivalent to the private proprietor."[2]

To come now, through an intricate machinery of technicalities and legal niceties, to pay practically nothing, or very little, for property which was successfully used in the purchase of new territories, would be glaring dishonesty. J. I. RODRIGUEZ.

[1] Dr. Wharton's "Digest," above cited, vol. ii, page 566.
[2] American State Papers, Foreign Relations, vol. iv, page 709.

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PACIFICATION BY ARSON.

THE subjugation of the two South African republics by the British is by this time as complete as the speeches of Cabinet ministers, in and out of Parliament, can make it. Several months have passed since Lord Roberts, being no longer required in the field, returned to London to take up the position of Commander-in-Chief, the chief function of which office appears to be the opening of numerous military bazaars. The highest authority of all may be quoted to establish the comfortable theory that the Boer War is now an affair of ancient history, for the King himself has already distributed the war medals won on the veldt and in the Government House at Cape Town — an award usually made at intervals of from twelve months to twenty years after the close of a campaign. These facts place beyond doubt the actuality of the British ownership of the mines and the territory which Lord Salisbury and his government did not seek, but which, when once reluctantly acquired, they feel it their painful duty to retain. There has been no such convincing proof of possession since the time of the Irishman who, when told that his house had been blown away, replied that it was impossible, for he had the key in his pocket.

It is possible, however, that there will be supplementary distributions of war medals, as there have been supplementary dispatches of troops and supplementary financial estimates. It would be a cruel injustice if the 250,000 men still wearily tramping up and down and around kopjes were to receive less honor than has been gained by the City Imperial Volunteers for the heroic excursion which has restored to the Corporation of London something of its former reputation as a source and inspirer of martial prowess. Indeed, why should not such a distribution of medals be made a regular annual celebration? It is likely that, for several years to come, whoever may happen to be commanding in South Africa will be able to spare a sufficient detachment to make a creditable showing at the Horse Guards on Decoration Day. There is, of course, the obvious objection that the troops now on duty are only employed on "police work" — the war itself, says Mr. Chamberlain, "has long ceased to be a war in

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the true sense of the word" — and that it is not usual to bestow war medals upon police constables of any grade. Police work in South Africa seems, however, to be at least as dangerous as real war; for the losses suffered by British troops during June exceeded the average monthly toll paid since the beginning of the campaign. Moreover, the bill of expenses continues to mount up steadily at the rate of more than $50,000 an hour.

The British Government is apparently resigned to this outlay in men and money as an "inevitable" dispensation of Providence, which it would be impious to attempt to check by any processes of investigation and reflection. After all, you cannot hope to engage in missionary enterprises of this or any other kind without having to make sacrifices. Outsiders might have supposed that the recent renewal of the invasion of Cape Colony, together with the absolute ineffectiveness of the British control of any part of the "annexed" Republics at a distance from the railway line, would have suggested at least the modification of the official view; but they little appreciate the strength of the present administration — at any rate, in holding to any theory which it has deliberately avowed. The war was over last September; it is over still. If facts are inconsistent with this theory, so much the worse for the facts. The pen of a governor-general and the tongue of a Cabinet minister are mightier than the sword; and if they cannot end a war, then, in the name of the Colonial Office, what can?

But, although to the British Government such incidents as are reported almost daily in the papers are only stages in the beneficent and orderly evolution which is presently to make "Rule Britannia" as popular in every Dutch village in South Africa as in the public-houses of the Strand, the present situation appears hardly so satisfactory to observers of a less fatalistic and optimistic temper. That the campaign which was to have gone down in history as the Six Weeks' War should at the end of twenty months be making such exhausting demands upon the resources of the conqueror, justifies the hesitation of those who venture timidly to suggest that there still remain problems to be solved. In particular, the attitude of the Dutch in Cape Colony is a significant symptom. It is within the mark to say that this section of the colonial population is far more disaffected to British rule to-day than when the first shot was fired. The actual number of Cape Dutch on commando against the British forces is larger than at any previous period; and the course of events, instead of breaking down their opposition, has turned them into irreconcilables. Somehow the exhibition of invincible British power, which was expected

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to conciliate, has really alienated. For example, the Rev. Andrew Murray, one of the most influential leaders of the Dutch Reformed Church and an author of theological literature that has gained a wide circulation throughout the English-speaking world, recently refused to have anything to do with any peace proposals that did not recognize the independence of the two Republics. When the war began, Mr. Murray had the reputation of being much more friendly to British than to Dutch influences.

If the Liberals had won a majority at the general election last fall, no doubt their success at the polls would have been quoted as a sufficient explanation of this revival of anti-British sentiment. "Behold," it would have been said, "how the rebels are taking courage from the prospects of a pro-Boer English ministry." As it is, a solution of the difficulty must be sought elsewhere. Quite recently the publication of a Government paper has afforded considerable illumination to those who have eyes to see. It is entitled: "South Africa. Return of Buildings burnt in each month from June, 1900 to January, 1901, including Farm Buildings, Mills, Cottages, and Hovels. Presented to Parliament by Command of His Majesty." It is perhaps necessary to explain to readers who live under a republican form of government that in this instance the "command of His Majesty" actually means the persistence of certain members of the Opposition in the House of Commons in demanding information on this topic. The return applies only to the Transvaal and the Orange Free State, or, as it is humorously described here, the "Orange River Colony." Mr. Brodrick promised a return of the farm burnings in Cape Colony also, but it has not yet appeared.

The summary prefixed to the details of this report deserves careful attention as an illustration of the brilliant mathematical talent which the War Office brings to bear upon such an intricate problem as an exercise in simple addition. It would be interesting to know how many hours were spent upon the remarkable calculating feat which is here reproduced verbatim from the official return:

SUMMARY OF NUMBERS OF BUILDINGS BURNT IN EACH MONTH.

June, 1900	2	November, 1900	226
July, 1900	3	December, 1900	6
August, 1900	12	January, 1901	3
September, 1900	99		552
October, 1900	189		
Dates not known, but probably before November, 1900			90
Total destroyed			634

When simple addition proves such a fearsome task, it is only natural

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that even simple enumeration should cause perplexity. Accordingly, it is not so very startling to discover that the total of 634, gained by the mysterious processes operating in the above table, is slightly below the total that will be reached by any one who takes the trouble to count the individual cases recorded in the body of the return. As a further example of inaccuracy, it may be mentioned that, although the summary ceases with January, 1901, the return itself makes mention of one dwelling-house and three farms burnt in February, 1901, and one dwelling-house burnt in March, 1901. Carelessness of compilation is equally manifest in four entries in the Ventersburg district, where the reason alleged for the destruction of houses owned by Widow Erasmus, Widow Fourie, Widow Vonburgen, and Widow Eramus, respectively, is that the owners were on commando! The value of the return is minimized by several evident omissions, which are easily discovered by a comparison of the details with well-substantiated reports from authoritative sources. For example, a proclamation issued at Bloemfontein, in June, 1900, gives the names of thirty-eight persons whose farms were to be burnt by order of Lord Roberts. Not one of these cases is to be found in the return. The total would be considerably augmented if one were permitted to add to it cases reported from time to time by the correspondents of English newspapers of all shades of political opinion. These correspondents were themselves present at the scenes which they described.

But even if we assume that the official return is a complete account of the devastation wrought in these two states, its revelations are enough to indicate the actual nature of the policy of the British commanders, or rather of the British Government, by whose instructions the generals in the field have throughout been closely bound. There is an impression in many quarters that such devastation, while greatly to be deplored, and while causing much distress to its victims, was nevertheless justifiable. It is argued that treachery must receive stern and rigorous punishment, and that, even where this offence has not been committed, the laws of war justify an invading army in the adoption of harsh measures. Before we proceed to consider the report in detail, it may be worth while to state what are the usages of war in this respect among civilized nations. At the Hague Convention, England was among the powers which signed the following provisions, in the section entitled "On Military Authority over Hostile Territory":

"Article 44.—Any compulsion of the population of occupied territory to take part in military operations against its own country is prohibited.

Article 45.—Any pressure on the population of occupied territory to take the oath of allegiance to the hostile power is prohibited.

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Article 46.—Family honor and rights, individual lives and private property, as well as religious convictions and liberty, must be respected. Private property cannot be confiscated.

Article 47.—Pillage is absolutely prohibited.

Article 50.—No general penalty, pecuniary or otherwise, can be inflicted on the population on account of the acts of individuals for which it cannot be regarded as collectively responsible."[1]

Moreover, Sir John Ardagh, one of the British representatives at the Hague, made the following proposal on behalf of his own country:

"Nothing in this chapter shall be considered as diminishing or denying the rights belonging to the people of an invaded country to fulfil their duty of opposing the invaders by the most energetic patriotic resistance, and by all permitted means."[2]

It has been argued that the provisions of the Hague Convention do not apply to the present case, inasmuch as the Transvaal Republic was not a party to them. This plea is particularly disingenuous in view of the fact that President Kruger wished to be represented at the Conference, and afterward wished to sign the Convention, but was prevented by England, on the ground that the South African Republic was not an absolutely sovereign and independent state. Would this excuse have been accepted if the Transvaal had been strong enough to invade England, and had pursued there such a policy as that of which she has herself been the victim? At any rate, the Hague Convention shows clearly enough what the leading civilized powers of the world regard as limitations to the aggressions of an invader, and what England herself regards as restrictions that should be observed by any European power that might obtain a lodgment upon her own shores.

A further expression of Great Britain's own deliberate judgment in this matter is to be found in the manual of military law, known as the Military Red-Book, which is published annually by the British Government. The following passages from the edition of 1899, in which year the present war broke out, bear directly upon the questions now in dispute:

"As the object of war is confined to disabling the enemy, the infliction of any injuries beyond that which is required to produce disability is needless cruelty.

The general principle is that in the mode of carrying on war no greater harm shall be done to the enemy than necessity requires for the purpose of bringing him to terms. This principle excludes gratuitous barbarities, and every description of cruelty and insult which serves only to exasperate the sufferings or to increase the hatred of the enemy, without weakening his strength or tending to procure his submission.

The general principles of the customs of war applicable to the enemy's property

[1] See F. W. Holls' "The Peace Conference at the Hague," pp. 447, 449.

[2] *Ib.*, p. 143.

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are shortly these: The object of war is compensation for an injury. To attain this object it is lawful to take from the enemy everything that conduces to his means of resistance, but it is unlawful to do his property any intentional injury which does not tend to bring the war to an end.

An invader is said to be in military occupation of so much of a country as is wholly abandoned by the forces of the enemy. The occupation must be real, not nominal; a paper occupation is infinitely more objectionable in its character and effects than a paper blockade."[1]

In the light of these principles, let us examine the official return of farm burnings as recently presented to Parliament. We find that only a few entries accuse treachery. The abuse of the white flag is alleged in eleven cases only. Murder is charged in five instances. A few cases are reported of fighting after the oath had been taken. In the majority of cases, however, the reasons stated come under one of the following heads: (1) Laying waste country used as base by enemy. (2) Harboring Boers. (3) Owner on commando. This last plea has been too much even for Conservative newspapers that have been enthusiastic supporters of the Government. "The Standard" asks whether the allies in 1814 would have had the right to burn the shop of a Paris tradesman because the owner was carrying a musket in one of the emperor's regiments; and "The St. James's Gazette," which not long ago was advocating unmitigated Weylerism, declared it to be an unheard-of thing in civilized warfare to endeavor to compel the surrender of the soldiers of a belligerent power by inflicting individual penalties, and denounced such cases as "an outrage on the conventions of war." Among miscellaneous entries to be found in the report under the heading "Reasons for Destruction" may be quoted the following:

"Accidentally destroyed by lyddite fire.
Farm near where telegraph wire was cut.
Burnt evidently by mistake.
Men on commando in the immediate neighborhood, notice having previously been sent to the laager that their houses would be burned if they did not come in, or were not at their houses by the date.
By reason of its utility to the Boers.
Used by Boer outposts.
Troop train derailed and fired on two miles E. of Pan.
Witpoort had been an enemy's stronghold for some considerable time.
Coetzar being seen with two others, who shot a man of 5th Lancers.
This house was burnt without orders by some one unknown.
To destroy mealies, etc., stored in house; owner on commando.
Harboring Boers and grinding corn for Boers at the mill."

In a few instances no reason whatever is assigned. Among these is

[1] Quoted in a speech given in the House of Commons on April 2, 1901, by Mr. Thomas Shaw, late Solicitor-General for Scotland.

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the following entry, which records an instance of incendiarism for which the British Government has already had to pay a heavy price:

District.	Name of Village or Farm.	Name of owner.	Date of Destruction.	Reasons for Destruction.
Rhenoster River.	.....	Christian de Wet	.....	.....

The facts recorded in the return of farm burnings need to be supplemented by some account of certain official proclamations made on the subject at various periods during the war. In June, 1900, Lord Roberts issued a proclamation, the influence of which in embittering the opposition of the Dutch can scarcely be over-estimated. This announcement was especially directed against attempts to damage railways and telegraph wires — methods of warfare which are perfectly legitimate when these railways and telegraphs are being used for military purposes. It ordered the destruction of houses and farms in the vicinity of any place where such damage was done. It went on to say:

"As a further precautionary measure, the military director has been authorized to order that one or more residents selected by him from each district shall from time to time personally accompany the trains while passing through the district."

This proviso, unknown in the warfare of the last half-century, except during the Franco-German conflict, when its practice by the Germans was universally reprobated by leading authorities on international law as well as by general public sentiment, was withdrawn on July 27. The order for the destruction of neighboring buildings remained, however, in force, as is shown by several items in the return. It is scarcely necessary to argue that this policy is entirely unjustified by the laws of war. The property destroyed was not being defended by a hostile armed force, nor were its owners guilty of complicity in the mischief for which punishment was thus inflicted. When a sudden descent is made upon the railway line by a band of Boers which has perhaps ridden over from a post twenty miles away, the local residents are no more accountable for the attack than if they lived in New York.

In a letter dated September 2, Lord Roberts admitted having ordered that, in cases of damage to trains and railways, all neighboring houses should be burnt and farms for ten miles around should be denuded of their provisions, cattle, etc. He lamented the necessity for such measures, but declared himself obliged to resort to them "by the evidently firm resolve on the part of yourself [Gen. Botha] and the burghers to continue the war." This embodies an extraordinary doctrine. It means

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that as soon as the commander of one of the contending armies thinks it desirable, for political or other reasons, that the war should come to an end, he is empowered to pronounce it over, and his *ipse dixit* has thereupon all the authority of the verdict of an international board of arbitration. If the foe persists in his resistance after the proclamation of a nominal annexation, he may be made the victim of a policy which would not be permitted if there were still a state of war. We can see here the fatal results of the blind theory that the occupation of Pretoria, which was only one incident in a long campaign, was to be interpreted as the crowning stroke of the whole war. It seems to have been argued that inasmuch as the occupation of London by a foreign foe would cripple England, *ergo* the occupation of Pretoria must cripple the Transvaal. Whatever happened, it was necessary to "save the face" of the ministers and generals who accepted this theory; and accordingly measures have been adopted which have made the territory, supposed to be conquered, more hostile to British influence to-day than it was a year ago. It is obvious that the real reason for the farm-burning was the inefficiency of the British troops. It is the penalty that non-combatants have to pay for the "mobility" of De Wet.

For several months the policy of the wholesale destruction of farms and houses was carried out as illustrated in the return. On November 18, two days after the publication of a telling protest by Mr. John Morley, who quoted a heart-breaking description of a typical scene of farm-burning, Lord Roberts issued an order intended, as he put it, to clear up "misunderstanding" on the subject. The text of his order is as follows:

"As there appears to be some misunderstanding with reference to the burning of farms and the breaking of dams, the Commander-in-Chief wishes the following to be the line on which the general officers commanding are to act. No farm is to be burned except for an act of treachery, or when troops have been fired on from premises, or as punishment for breaking telegraph or railway lines, or when they have been used as bases of operation for raiding, and then only with the direct consent of the general officer commanding, which is to be given in writing. The mere fact of a burgher being absent on commando is on no account to be taken as a reason for the burning of his house."

It appears, then, that "misunderstanding by British officers" should have been inscribed in the return in the numerous instances in which "owners on commando" is actually entered as the reason for destruction. No doubt the explanation has brought much comfort to the sufferers. Unfortunately, the "misunderstanding," once started, was difficult to check; for on page 8 of the return are recorded twenty-five instances of farm

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burning in the Frankfort district because the owner was on commando, and the date of these burnings is November 25.

The new proclamation is not itself free from possibilities of ambiguity. May not some officers, untrained in observing the niceties of language, be in danger of interpreting "punishment for breaking telegraph or railway lines" to include "punishment for living near places where telegraphs or railway lines have been broken"? It should be pointed out also that even the permission to burn houses from which troops have been fired on or which have been used as bases of operation for raiding is not in harmony with enlightened principles of military operation. A woman left with her children, and perhaps a few Kaffir servants, in occupation of her farm cannot prevent the use of the buildings by any force that comes along, whether it happen to be Boer or British. If such buildings are turned into a military stronghold, like the famous farm at Hougomont, the case is altered; but the fact that they occasionally provide food or concealment for a passing body of troops is not a sufficient reason for their destruction, in view of all that this involves.

For it must be remembered that the burning of an isolated house upon the veldt carries with it exceptional privation and distress. Pages could easily be filled with illustrative quotations from letters written sometimes by the victims themselves, sometimes by officers and privates who took part in the burning, sometimes by newspaper correspondents who were present. The instance mentioned in Mr. Morley's protest is that of an educated Dutch lady, the daughter of a better-class yeoman who was on commando. The farm was visited several times by British troops, who in some cases bought food and in others stole it. Once a British party removed a wagon, twelve oxen, harness, mealies, etc., for which the lieutenant in charge of the party refused to give a receipt. Another party cleared out what remained in the wagon house, as well as dried fruits, forage, and blankets. A later party inquired whether the owner was on commando, and whether the Boers ever called at the house. The farmer's daughter replied that the Boers had called when they passed. "How could we prevent them, our own people, when we could not keep the soldiers out?" Notice was then given that the farm would be burnt at the end of an hour. The lady's story continues:

"We carried out furniture from the drawing-room and two bedrooms, our piano and sideboard. While we were busy the troops came. They poured something over the floor to make it burn, and soon the dwelling-house and the outside buildings were in flames, and our comfortable home was gone. My mother, our lady friend, and I remained outside amongst the things we had removed and watched the burning. . . . That night we slept out among the furniture, standing on the 'werf,' the wind carry-

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ing sparks over our head. Twice during the night the stables caught fire, and twice we got up to put that out, so that we might have some shelter for the next night. Next day we had the stables cleaned and some of our goods carried in there, and there we slept the second night."

The remaining horses and cattle belonging to the farm were taken by the troops, who refused to permit the farmer's family to remain in the stables, insisting that they should go to the nearest town — Winburg, distant three hours' journey — together with seventeen other families which had similarly suffered. They had a house of their own at Winburg, however, and it was promised them that they would be allowed to remain there.

"At ten we were put on an open bullock wagon and were sent into the town, which we reached at half-past seven that night, after having been exposed to the hot sun all day. The major calmly said, 'You are only common working-people and used to such a rough life.' When we got to the town they refused to give us our house, and sent us to the hotel, paying for us. This was on September 20. On the 23d the commandant came to see us, and said we were to go either to Bloemfontein or to the Colony. Should we refuse we would be sent later on with other women in open trucks to Bloemfontein and placed in tents there. These were his orders."

With their characteristic humor the British authorities apply the term "refugees" to the women and children who are corralled in this fashion. The use of the word lends to the operation a comforting suggestion of sympathetic philanthropy. Little by little the truth has been coming out respecting the real character of the charitable institutions known as "refugee camps." On March 8, 1901, the Secretary of State for War, replying to a question by Mr. Ellis, assured him that he need not be under any anxiety about their occupants, for Lord Kitchener had telegraphed that the people in the laagers were all contented and comfortable. Apparently this item of Parliamentary news was not telegraphed back to South Africa; for only five days later Lady Maxwell, wife of the Military Governor of the Transvaal, all unconscious of Mr. Brodrick's satisfaction, sent to the "New York Herald" an appeal for contributions of warm clothing for the Boer women and children in the camps, "many of whom are totally destitute and unable to provide against the cold weather which is now setting in." She went on to say:

"It is in the name of the little children who are living in open tents, without fires and possessing only the scantiest of clothes, that I ask for help. There are something over 22,000 refugees in these camps in the Transvaal alone, all of which are under my husband's (Major-General Maxwell) care. . . . Even if peace should be proclaimed sooner than we hope, it will hardly alter the condition of many of these women, whose husbands have been killed and their homes destroyed by the cruel experiences of war. . . . Contributions of warm clothing addressed to the military gov-

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ernor, Pretoria, South Africa, will be most gratefully received and distributed among them."

An English lady, Miss Emily Hobhouse, niece of Lord Hobhouse, has recently returned from a visit to the camps in Cape Colony and the Orange Free State — she was excluded from the Transvaal — to give assistance on behalf of the Committee of the Distress Fund for South African Women and Children. Her report, published in pamphlet form, is a record of the most painful distress.[1] Here is a summary of the result of some of her investigations:

"Miss Hobhouse has enabled us to fill in the picture which the statistics of the death rate in these camps suggested. In the Free State the rate has been about 250 per 1,000 per annum, in the Transvaal 120, while in the Johannesburg camp, above all the fatal wealth of the mines, it was as high as 435. We now know why. The site at Bloemfontein, for example, was badly chosen. The water was a mere solution of typhoid germs, and no shade was available. Women expecting their confinement in a few weeks lay on the ground without mattresses, in tents that leaked. The nightly dew soaked through, and every morning our prisoners had to wring out their clothes. Young babies put into leaky bell tents would catch a chill, sicken, and die. Medical attendance was inadequate. At Bloemfontein there was one nurse to thirty typhoid cases. At Kimberley there was no nurse at all; at Norval's Point no trained nurse, and almost all the cases in hospital had died. . . . Fuel is almost non-existent in these camps, and all the rations, meat, coffee, flour, etc., are served out raw. If the children die of raw food, it is because no fuel is provided."[2]

Persistent interrogation in Parliament has done a little to mitigate some of these sufferings. For instance, Mr. Brodrick has undertaken to abandon the system by which the wives of Boers still on commando received only half the rations dealt out to those whose husbands had surrendered. On June 17, when the House of Commons was shocked by his revelation of the terrible mortality among children, he announced that the authorities were arranging for the release of those women and children who had friends to receive them. Their places, however, will soon be

[1] In the present state of terrorism in London it has been found impossible to secure a public hall in which Miss Hobhouse can give an account of what she saw in these camps. A meeting was to have been held in the Queen's Hall, under the presidency of the Bishop of Hereford, at which Miss Hobhouse was announced to "describe the needs and condition of the women and children." The engagement was cancelled by the lessee of the hall, owing to his apprehension of violence on the part of those who clamored for war to vindicate the rights of free speech for the Outlanders of Johannesburg. Attempts made to hold a meeting in other halls have similarly failed. At Oxford, however, Miss Hobhouse has received a sympathetic hearing at the Liberal Club, as well as at a private meeting at the Master's Lodge at Balliol College. In conveying to her the thanks of the meeting, the Master of Balliol said that, without expressing any opinion upon the political aspects of the war, which Miss Hobhouse did not desire to discuss, they must all agree that the condition of things which she had described to them must be stopped.

[2] The London "Morning Leader," June 19, 1901.

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filled by substitutes; for newspapers in different parts of England and Scotland are still publishing letters from officers and privates describing the burning of farms for reasons which show that the unfortunate "misunderstanding" has not yet been corrected. According to an official statement made in the House of Lords by Lord Raglan on July 15, and cabled to the New York newspapers of the following day, the whites at present in the concentration camps number 14,624 men, 27,711 women, and 43,075 children; and the mortality for the month of June was 63 men, 138 women, and 576 children. These figures are an interesting comment on the verses in which, at the beginning of the war, Mr. Swinburne indignantly accused the Boers of waging war "with women and with weanlings."

And what are the results of this policy of devastation upon the progress of the war and toward the conciliation of the people who are to be transformed by it into loyal British subjects? Its success has been as brilliant and immediate as was that of Lord Cornwallis, when by his burning of American homesteads he revived the spirit of the revolted colonists and rallied them by thousands to Washington's flag. The wanton burning of De Wet's farm, for which there was no justification in any of the rules of war before or after the Hague Conference, has turned into an irreconcilable the man who has outwitted for months the flower of British generalship. All sorts of rumors have been circulated respecting the intentions of General Louis Botha; but the statement most in accord with the known facts is that of Dr. Poutsma, to whom Botha is reported to have replied, when asked whether he meant to surrender: "No, not after the way they have treated us — after the burning of our farms and the deporting of our women. I would rather be shot." How the average Boer looks at the matter may be judged from another extract from the letter of the lady quoted by Mr. John Morley:

> "One of the men asked where we intended sleeping that night. I said if I had burned the house, I would have known where to have gone and what to have done. Others said, 'You have to thank Presidents Steyn and Krüger for this. Why do they not come and give in? Why do they go about like robbers?' So we said, 'They will never give in; they are fighting for their country, and you are fighting women because you know they will not shoot back.' We also asked, would they give in if we were fighting them and started burning their houses and sending women out in the open veldt without a morsel of food because their husbands, fathers, and brothers would not give in."

The demand for unconditional surrender is made to-day by Lord Salisbury as it was made more than a hundred years ago by Lord North. But there is no response to it yet from the concentration camps. If

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peace is to be gained by these methods they must be made sterner still. For Miss Hobhouse reports:

"Those who are suffering most keenly, and who have lost most, either of their children by death or their possessions by fire and sword, such as these reconcentrated women in the camps, have the most conspicuous patience, and never express a wish that their men should be the ones to give way. It must be fought out now, they think, to the bitter end."

Who can doubt that over the ruins of many a charred farm there has been taken such a vow as that by which the child Hannibal was pledged? Miss Hobhouse relates how, in one of the camps, the mothers had the corpses of their dead babies photographed for their husbands to see when they return from Ceylon. When the new British subject *malgré lui* gets a home of his own once more, a glance at his dead baby's picture on the wall will be a powerful stimulus to those sentiments of loyalty to British rule which our modern Straffords hope to inspire by their policy of "Thorough."

Meanwhile the British troops, engaged in the ancient task of making a solitude and calling it peace, are taking plenty of riding and marching exercise, and accumulating merit against the next presentation of war medals. Poor fellows — ragged and half-starved many of them, if not helpless from fever, but giving their lives to make a stock-brokers' holiday! For many of the officers there will be promotions and knighthoods. Why, indeed, should not His Majesty establish a new order? The Order of the Bath is by this time an old-fashioned decoration. Why not recognize the exceptional nature of the present campaign by instituting an Order of the Torch? How proudly would its ribbon be worn, especially if Cabinet Ministers were made eligible! The statesman who boasted that if the origin of the war could justly be attributed to him he would regard it as a feather in his cap would doubtless be even better pleased with a star upon his breast. To him and his associates in the martyrdom of a free and brave nation may appropriately be addressed the exhortation of William Watson:

"Fulfil your mission; spoil and burn,
Fling forth the helpless — babes as well;
And let the children's children learn
To hate you with the hate of hell.

So shall the god of war not lack
His tribute, and the long-foiled light
Be for the hundredth time thrust back
Into the night — into the night."

EXUL.

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THE METRIC SYSTEM AND INTERNATIONAL COMMERCE.

WHEN but a single man walked the earth his efforts were directed solely toward meeting his own wants. He was not called upon to work to another's orders, but in his own necessities he found all the measures he needed. His axe-handle or walking-stick could have served as his unit of length; and as it would be carried directly from one article to another which was to be measured, it was of no consequence if his crude standard should be lost.

With the advent of the second man there arose, sooner or later, a desire to possess the fruits of each other's labors. But as long as the two parties to the transfer could meet face to face, there was no confusion even when each one used his own measure. It was the exchange of one pile for another pile, of one group of articles for another group. As the circle of exchange grew larger, and money or a token was offered in return for the articles desired, it became necessary for the buyer and seller to have in mind the same sort of money and the identical unit of measure. Thus, out of the complex relations between man and man has arisen the need for weight and measure; and with the forging of closer relations between men and men, or between nations and nations, comes the necessity for the unification of all weights and all measures — the indispensable and universal instruments of commerce.

Although all peoples appreciate the confusion that lurks in a misleading synonomy, we find nations that are willing to continue "the application of the same generic term to different specific things, and the misapplication of one specific term to another specific thing." Or, to become more definite, the English system gives us an avoirdupois pound that is heavier than the troy pound, while the ounce avoirdupois is lighter than the ounce troy. The ounce, the drachm, and the grain are specific names indefinitely applied as indefinite parts of an indefinite whole; a dozen may be 12, 14, or even 16; 28 and 25 are quarters of a hundredweight; and the twentieth of a ton is either 100 or 112 pounds. The quart and the gallon signify in each case three different measures, and in the United States there have been 130 different measures called bushel, none of them conforming to the bushel of England.

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In the vocabulary of the metric system there is one specific, definite, appropriate word to denote the linear unit, one for the unit of area, one for solid measure, one for the unit of capacity, and one for the unit of weight. The word is exclusively applied to the thing, and the thing is exclusively denoted by the word. Thus, the metre is a definite measure of length and nothing else; it has only one value at home, and can have none other abroad. This system employs five unit words and seven prefixes, or twelve words in all, while in the English system there are seventy-four units, having fifty-six names, eighteen of which are ambiguous.

In the numerous custom-houses found in small countries it was necessary to keep a force of computers to effect transformations of values upon the invoices of the commodities passing through their hands, because of the diversity of weights and measures and moneys with which they had to deal. The need of a common system was pressing, and the metric system, being available, was taken and legalized without anyone concerning himself with the question whether the metre would have been better if it had been a little longer or a little shorter, or if it had represented something different from what it does represent, or whether, in fact, it really represents anything at all.

So we, who are still outside of the pale of universality, can accept the good features of the metric system and preserve, if we like, our old terms. We can call half a kilogram a pound, the litre a quart, and the metre a yard; thus avoiding the use of terms that seem odd because they are strange. This has been done in Switzerland, and not one person in a hundred knows that a slight change has taken place in the pound to make it equivalent to the half kilogram.

When Prussia adopted the metric system there were a number of units in use, so many that when the Prussian foot, for example, was referred to, it was necessary to specify whether it was the foot of Eastern Prussia or of Western Prussia. So, when the Prussians adopted the metric system, they had not only the confusion of passing from one system to another, but the additional confusion of passing from several systems to a single system.

We have an analogous condition in this country with respect to the bushel. What does it signify? It stands for one thing in one State and for another in another, and even in the same State it means something different for every different product. Wheat, rye, oats, corn, buckwheat, barley, potatoes, and onions are sold by weight, while the prices are invariably quoted at so much per bushel. The number of

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bushels is obtained by dividing the number of pounds of an article by the number of pounds of that particular article which make a bushel in that particular State. When oats are quoted at 20 cents per bushel in Ohio, it means to the Dakota farmer that thirty-six pounds of oats are worth 20 cents, and to the Maine farmer that thirty pounds are worth 20 cents, while the Ohio farmer would expect to surrender thirty-two pounds of that product for the sum named. From the reports of our consuls throughout Europe, we see that no cause, since the earliest organization of civilized society, has contributed more largely to embarrass business transactions among the members of the family of nations — especially by placing obstacles in the way of commercial exchanges between different countries, or between different provinces, or even between different cities — than the endless, senseless diversity of instrumentalities employed for the purpose of determining the quantities of commodities awaiting exchange.

One of the strongest objections urged against the adoption of the metric system is the disturbing effect its introduction would have, for a time at least, on the daily vocations of the people. "How would the servant-girl," some ask, "know how many litres of milk to buy if in all her previous purchases she had bought only quarts?" Suppose she knew nothing of the change, and that it began during her sleeping-hours, on a certain date. On the next morning she would hail the milkman and say, "Let me have two quarts of milk." He would answer, "We don't have quarts any longer." "What do you have, then?" "Litres," would be the reply. It is not likely that she would be terrified by the word, but she would ask to be shown a litre measure, and to her eyes it would look so much like a quart that she would at once know how many of these units of milk she would need. The result would be similar if a lady should try to buy a certain number of yards of goods. On finding that she could not have the articles in yards she would ask to see how long the metre was, and she could easily form a fairly accurate opinion as to how many she would require. In the great majority of the petty transactions of our daily lives we are guided in our purchases by the amount we wish to expend, or by the size of the pile the shopkeeper measures out or puts in the balance.

The change in our system of weights and measures would be accompanied by considerable cost, for new scales or weights would be required. As, however, the average life of a counter scale is about two years only, the merchant, knowing in time when the change would be made, would not incur much expense by either hastening or delaying somewhat his

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purchase of a scale so as to buy one of the new system. Some new machinery would have to be constructed and new dies cut; but even at present all manufacturers who are seeking foreign markets must have machines which conform to the measures of the country where they are striving to create markets. Many of our shops already keep two sets of machinery on this very account. And it is idle to assume that our customary units would become entirely obsolete on the day of the adoption of the new system. The most radical proposition goes no farther than to say that, after a certain date, contracts, in order to be legal, must be drawn according to the new system. For years to come the use of the familiar units would be permitted, just as at present hundreds of units are in use every day that have no legal recognition whatever — for instance, the bit, the levy, and the hand.

In the Post-Office Department every letter and every piece of mail going out of this country or coming into it has its weight determined in grams. Then why not weigh all mail matter in the same way? The law prescribes in grams the weight of the half-dollar and the dime. Why weigh the dollar in grains? All the operations of the office of the Surgeon-General of the Navy that involve weights and measures are expressed in metric terms; why not equally those of the Army?

If any question should arise as to the accuracy of scales or of any of the instruments used in determining length or capacity, such a question on final appeal must be referred to the Government for decision. But the English standards are not employed in making the comparison. In the case of a question of weight, neither the pound troy nor the pound avoirdupois is called into service, but the kilogram. And although the Government possesses standard bushels and gallons, reference is made to the international litre wherever an authoritative determination is asked for as to the accuracy of a measure of capacity. We therefore see that the adoption of the metric system simply means its introduction into every-day life and nothing more, as our customary units already have their values given in terms of the metric units, and are determined by comparison with them. It is a mistake to suppose that it is the scientists who are clamoring for the introduction of the metric system. They have it and use it whenever they wish to have their writings perfectly understood by the scholars of the world. Apart from this reason they use this system in their studies, because of the ease with which it enables them to ascertain specific gravity and to express measures of capacity in weight.

Just now the nations of the earth are striving to realize the princi-

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ple of division of labor, and as contributory to this each is seeking to find where its people's wants can be most economically satisfied, and where their surplus products can obtain the best markets. The one great question now paramount in the minds of the commercial world is how to extend trade — how to remove the barriers that stand in the way of natural tendencies and artificial stimuli. Mr. Furbish, when Director of the Bureau of American Republics, said:

"The failure of the United States Government to adopt the metric system is one of the most inexplicable instances of false conservatism in the history of the country. In face of the fact that almost every civilized Government has seen the necessity of a common system of weights and measures to facilitate the exchange of commodities, the people of the United States have persisted in retaining their old and cumbrous system, which might have served those who believed in non-intercourse with the outside world, but which stands as a barrier to that freedom of exchange to which the whole world is now tending. We send consular representatives to every quarter of our globe for the express purpose of making possible an extension of our foreign commerce, and then busy ourselves in an attempt to make such foreign commerce impossible, and retain a system of weights and measures which adds to our own difficulties and makes us mere barbarians to the more progressive nations."

In the report made by a committee of the British House of Commons upon the advisability of adopting the metric system, extracts are given from letters received from eighteen different and important consulates. Every writer stated that in his opinion the adoption of the metric system by Great Britain would greatly promote her commerce with those countries, and that the fact of her not having that system was exercising a repressing effect on her commercial intercourse with them. There can be no possible doubt of these facts, and the United States, in its commerce, is to-day suffering from the same cause. We are out of touch commercially with all the nations of the world except Russia, with which our commerce is small, and England, with which our trade is not growing. The articles we sell England are mainly grain, sold by the bushel, which differs from the English bushel; petroleum, sold by the gallon, which differs from the English gallon; and cotton, sold by the pound, which fortunately corresponds with the English pound.

At the present time we are seeking to enlarge our trade with nations that use the metric system, or in countries where our strongest competitors are nations using that system. The disadvantages in both cases are identical so far as concerns the use of a system of weights and measures differing from that employed by our customers or by our competitors. The American price-lists are unfamiliar, and the amiability of the prospective buyer must be drawn upon before attention can be paid to our

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goods. Then, too, there is no easy standard of comparison with the products offered by foreign competitors. The difference of monetary systems alone is a source of sufficient trouble. When it is increased by the unlikeness of the units of weight and measure, the problem of making a double conversion possesses difficulties for the would-be buyer equalled only by our youthful perplexities in dealing with the "double rule of three." Owing to the likelihood of making errors as well as the trouble of making such conversions, our price-lists and quotations make but little headway in the introduction of our manufactures into foreign lands.

The adoption of the metric system by this country would undoubtedly aid us in trading with nations that already use it. And if it would aid us in selling, it would also help us to buy, by placing larger means at our disposal. Then our increased prosperity would be accompanied by greater prosperity for the other members in the family of nations, and the circle of exchange would be thereby enlarged.

JAMES HOWARD GORE.

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IS THE ACTOR ILLITERATE?

In the early days of the drama, notably in the time of Cromwell and Puritanism, the actor was held in the lowest possible esteem. In France persecution followed him beyond the grave. Even the power of Voltaire was unequal to the saving of a beautiful actress of the highest character from a cross-roads burial with a stake in her heart. In England the ashes of the actor were not fit to lie in holy ground. An exception seems to have been made with the body of the player Shakspere; but the opposition to his church burial was so strong that his friends, appealing for protection to the superstition of the time, put over his resting-place the warning beginning: "Good friend, for Jesus' sake forbeare."

This treatment of the early actors was largely due to the stage itself. The indecent comedies of Wycherley and Congreve, so long in absolute control of the theatre, degraded the calling of the player, whose rights were denied by custom and law. The actors themselves were ostracized, insulted, and sometimes murdered by the coarse gallants of the period. The following incident may be quoted as an example:

"In 1597 Charles, Lord Mohun, had been tried with the Earl of Warwick for the murder of a young actor named Stokes, who had resented an insult offered to his sister. On being acquitted by the House of Lords Mohun wrote a pamphlet on 'the evils of the stage,' and, to show the consistency of his belief, soon became the hero of another affair of honor, to the great glee of the young gallants of the time. It seems that a Captain Hill, grandson of the Puritan 'Praise-God Hill,' being in love with the beautiful actress, Mrs. Bracegirdle, who despised him, wanted assistance in carrying her off. He found the man and the aid he needed, in Lord Mohun. Learning that Mrs. Bracegirdle with her mother and brother was on her way to sup with a friend, the conspirators against her honor hired six dissolute soldiers to aid them. The attempt was made December 9, 1602, but on account of the lady's screams and the resistance of an excited mob, it failed. An odd compromise was made whereby Lord Mohun and Captain Hill were allowed to form part of Mrs. Bracegirdle's escort home. Near by lived Will Mountfort, a rising actor and dramatist. He was the object of the hatred of the lord and captain, who on this occasion made such threats against him that Mrs. Bracegirdle sent a warning word to his house. Will was away from home at a neighbor's, but his wife despatched the message to him. The actor, receiving the news, strolled leisurely to his own home. On his way he met the party with Mrs. Bracegirdle. Captain Hill seized him from behind and pinioned his arms until the bloodthirsty Lord Mohun passed his sword through the body of the poor player. His dying cry brought his loving wife to the spot. Just before he expired

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he said, 'Don't weep, Nellie,' and then quoted the well-known lines of Mercutio, a part he had played the evening before — ''tis not so deep as a well, nor so wide as a church door.'

The rascally Mohun was a second time tried for murder by his peers of the House of Lords, who pronounced him guiltless. One of them declared that 'a player had but few rights before the law, and none in the sight of God.'"[1]

What the future of the stage would have been if left under the literary control of such debasing masters as the obscene dramatists of the reign of Charles II it is not difficult to determine. Happily the actor-dramatist soon came to the front; and although his work partook largely of the coarseness and flippancy of the time, it was a distinct advance in the direction of morality, taste, and good manners. Slowly, but surely, the stage has increased in purity and importance, until it has become one of the foremost institutions of modern life, enjoying the respect and admiration of civilized nations.

But what of the actor? Has he progressed with the stage in the estimation of thinking people? How is he regarded?

In England, France, Germany — in every country but ours — grateful tribute is paid to the masters of the stage. England honors her actors with resting-places in Westminster Abbey. This distinction has been paid to several players of revered memory, among them Thomas Betterton, James Quin, Anne Oldfield and David Garrick. The graves of Forrest, Charlotte Cushman, Burton, Booth, and Barrett, in this country, are known only to those who search for them.

Malice and ignorance work together to measure the dramatic artist by the same standard as in the old Puritan days. He is represented as inferior intellectually to men in other callings. His family affairs are at the mercy of the new-school journalist, whose stock in trade is the belittling of the actor's most serious work. Stories affecting his character and reflecting on his honor and his manhood are bandied about as if he had lost every right to fair consideration. Every cheap hanger-on of the theatre who may be engaged in a bar-room brawl is "an actor of prominence," and any poor woman found drunk and disorderly may be spoken of by the news-gatherers as "a one-time beautiful actress."

Abuse and misrepresentation in this form have lately taken a new turn. Several magazines and newspapers have made editorial attacks on the intelligence of actors. By some they are called "mummers." Others follow the line of Doctor Johnson's attack on David Garrick and his calling. "Why do you speak to Mr. Garrick in that way, Doctor?" asked Boswell. "You hurt his feelings." "Punch has no feelings,"

[1] Marchand in "Curiosities of Crime."

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said Johnson. This plan of action on the part of the actor's detractors leads up to the interrogatory heading of this article: Is the Actor Illiterate? A most convincing answer to this question lies in the fact that William Shakspere himself was a member of this belittled calling.

The writings of the Immortal Bard might have been lost for all time but for the thoughtful care of two actors, who, in "loving kindness for their dear master and friend," collected and arranged his manuscripts in proper form, their labors resulting in the first folio edition of 1623. The names of the self-appointed executors of Shakspere's great literary estate were John Heminge and Henrie Condell. On assuming their sacred charge they wrote as follows:

"It had bene a thing, we confesse, worthie to have bene wished that the Authore himselfe had lived to have set forth, and overseene his owne writings. But since it hath bene ordain'd otherwise and he by death departed from that right, we pray you do not envie his Friends the office of their care and paine, to have collected and published them, and so to have published them, as where (before) you were abused with diverse stolne and surreptitious copies, maimed and deformed by the frauds and stealthes of injurious impostors, that expos'd them: even those are now offered to your view, cured, and perfect in their limbs, and all the rest absolute in their numbers, as *he* conceived them. . . . We have but collected them, and done an office to the dead to procure his orphans, guardians; without ambition either of self-profit or fame: onely to keepe the memory of so worthy a Friend and Fellow alive as was our Shakespear."

Though Shakspere is a shining proof that the actor is not illiterate, the proposition can be demonstrated without him. The history of the English-speaking stage shows that actors have been noted for literary attainments. I will cite a few illustrations only from the various periods:

Ben Jonson, contemporaneous with Shakspere, and considered his equal by many in his time.

Thomas Betterton, born 1635, author of eight plays.

Colley Cibber, 1671–1757, poet laureate of England, who revised several of Shakspere's works and originated eighteen successful dramatic productions, including the famous "She Would and She Would Not."

Charles Macklin, 1697–1797, author of "Suspicious Husband," "Love à la Mode," "The Man of the World," etc.

James Quin and Barton Booth, fellow-actors with Macklin, while having no plays to their credit, were men of recognized literary worth.

Sheridan Knowles, 1784–1862. His best known plays are "The Hunchback," "The Love Chase," and "Virginius."

T. W. Robertson, 1829–1871, author of "Caste," "School," etc.

William E. Burton, 1804–1860. The greatest comedian of his time.[1]

Dion Boucicault, "The Irish Shakspere," 1822–1890.

[1] William E. Burton's published correspondence with Edgar A. Poe resulted in the complete defeat of the poet, who brought the contention to an abrupt close with: "It serves me right. I should have known better than to have bandied words with a profane stage player." As Poe's parents were both actors this slur was disrespectful, to say the least. William Cullen Bryant, the one-time friend of Poe, took such an

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Coming to our own time, we find a gratifyingly large contingent of author-actors, such as Lawrence Barrett, Henry Irving, James A. Herne, Wilson Barrett, A. W. Pinero, Augustus Thomas, H. V. Esmond, Brandon Thomas, David Belasco, and William Gillette. James A. Herne, whose lamented death occurred so recently, had some points in his career similar to Charles Macklin, whose epitaph was

"This is the Jew
That Shakspere drew."

Macklin wrote the best comedy of his time, "The Man of the World," in which he was unequalled as Sir Pertinax MacSycophant. Herne wrote the best comedy-drama of our time, "Shore Acres," in which he was unequalled as Nathaniel Berry.

It may be here noticed that actors who have "created" parts — that is, who have played leading rôles in their own plays — have generally been acknowledged as the best interpreters of those characters. For instance, Sheridan Knowles in "The Hunchback"; Dion Boucicault in "The Shaughraun"; Charles Mathews in "Used Up"; Wilson Barrett in "The Sign of the Cross," "Claudian," and "The Silver King"; Molière as Tartuffe; and many other stage people whose work cannot be said to have raised the question "Is the Actor Illiterate?"

Sir Walter Scott placed the art of the actor above all others. He wrote:

"I know of no calling that so purifies one's character. Thomas Betterton must have been one of the noblest men that ever lived, and if anything could reconcile me to old age it is the reflection that I have seen the rising as well as the setting of the sun of Mrs. Siddons. God bless the stage and its people."

Impartial observers of present-day players will admit that they are men of intellect and refinement, and students on whom the badge of illiteracy cannot be consistently placed. The very nature of their profession precludes the possibility of ignorant actors winning the laurel. Intellectual discernment, if not education, is essential for the proper interpretation of the author's thoughts. The parrot actor is generally relegated to the rear rank. A man of limited brain capacity may become a successful stage critic, in the popular acceptance of the term, but not a successful stage exponent. It is easy for the facetious critic to tear down in a single sitting the structure which the actor has spent weeks of studious preparation to erect. The pen is mightier than the buskin.

interest in the trouble that he lost his temper over it. He praised Burton for his forbearance and denounced Poe as a "cad and a bully."

Burton started "The Gentleman's Magazine" in 1837. In 1839 he associated Edgar A. Poe with him in control. In 1845 he consolidated with Graham in a publication that became "Graham's Magazine."

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If actors were the untutored barbarians described by certain writers, public patronage would be withdrawn from the theatre; every drama would become a farce; and Shakspere an abomination. Imagine a company of stupid, uneducated Thespians trying to produce one of the plays of the immortal bard! Charles Dickens said that "some writers labor under the impression that their mission is to amuse the reading public at the expense of the player. Their pens are steeped in ridicule, though their wit seldom entertains anybody but themselves."

The scurrilous style of some alleged critics causes a suspicion that if they should depart from their accustomed methods and treat the actor seriously, the managing editor would quickly call for their resignations. Fortunately, such men do not represent the many fair-minded newspaper writers of which this country is justly proud. The standard of the theatrical profession cannot be measured by those alleged actors the height of whose ambition is to pose on public thoroughfares. Real actors have neither the time nor the inclination for such statuesque displays. They confine their acting to the stage.

For more than three centuries the dramatic literature of the world has been largely furnished by actors. The greatest play of any time, with the single exception of the Sheridan era — from Ben Jonson, Shakspere, Molière, down to T. W. Robertson, Dion Boucicault, and Augustus Thomas — has been written by an actor. The actor Shakspere invented so many new words, that since the time when "learning triumphed o'er her barbarous foes" no clerical denunciator of the stage and its people has been able to denounce them without using the very words coined by the illiterate stage player.

Doran says: "The actors of Shakspere's time were of grave and sober behavior and men of high character." The modern actor may be a man of the world, but he is none the less devoted to the calling of which the immortal master wrote:

"These, our actors,
As I foretold you, were all spirits, and
Are melted into air — into thin air.
And like the baseless fabric of this vision,
The cloud-capped towers, the gorgeous palaces,
The solemn temples, the great globe itself,
Yea, all which it inherit, shall dissolve,
And, like this insubstantial pageant faded,
Leave not a rack behind. We are such stuff
As dreams are made of, and our little life
Is rounded with a sleep."

STUART ROBSON.

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MOSES COIT TYLER.

EVER since his death at the very close of the century which ironically and pathetically enough he was not permitted to reach, much less to cover, in his great "History of American Literature," I have been hoping that some qualified person would see fit to pay the ungrudging tribute which the life and labors of Prof. Moses Coit Tyler so well deserve. But the months have gone by, and little has been added to the naturally hasty notices of the man and his books furnished, with their usual celerity, by the newspapers and the literary journals. It is to be presumed that an elaborate memorial by some relative or friend is contemplated, and I am far from supposing that there is any special call for me to attempt the intermediate rôle of providing an appreciative essay of the kind just indicated; but my gratitude to Prof. Tyler and my admiration of his services to American literature and scholarship are so hearty that I trust they will be accepted as a sufficient excuse for pages which I am, in all literalness, impelled to write.

Of the personality of the man himself I shall say little, because, unfortunately, I know little of it. Most of us, at one time or another, have experienced the irony and untowardness of fate in being kept, by narrow intervals of time and space, from ever standing in the presence of people we had long desired to meet, and who, we had reason to know, would not be displeased to meet us. Such was my fate with regard to Prof. Tyler. We were once near enough meeting to have adjoining seats assigned us at a lunch table, but my seat was by accident left empty. Nor could I imagine that the pathetic wish he once expressed in a letter, that I should find it possible to seek him out at his home before his days for welcoming friends should be over forever, was based upon as deep a sense of the frailty and uncertainty of life as he must have had when he wrote. Thus it is that I know of Prof. Tyler's noble and genial personality only through the reports of his friends and through a few letters, although I am in one particular at least a literary heir or legatee of his, since, when his health began finally to fail, the volume on American literature which he had engaged to write for Mr.

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Gosse's series, "Literatures of the World," was turned over to my less skilful hands.

But although this paper must perforce deal with Prof. Tyler as scholar and writer rather than as teacher and man, it will not be amiss to give readers who do not care to consult their encyclopædias an outline of his uneventful, but not uninteresting or undiversified, life.[1] Moses Coit Tyler was born of good New England stock, as the far from meaningless phrase runs, at Griswold, Connecticut, August 2, 1835. If his fame ever increases sufficiently to make it requisite that pupils should memorize his place of birth, they will perhaps use as a mnemonic the fact that Griswold is also the name of the man whose pioneer work for American literature Prof. Tyler was destined to continue and far surpass — a man who has deservedly received much harsh criticism, but whose unflagging zeal for American culture in the day of small things merits generous recognition in our own more mature epoch. But it is with the son of Capt. Elisha Tyler and Mary Greene, his wife, that we have to deal, and not with the Rev. Rufus W. Griswold, the much-anathematized biographer of Edgar Allan Poe.

While he was still very young Prof. Tyler's parents settled in Michigan, where he received the training that enabled him to enter the University of that State in 1853. His Eastern connections, however, were still strong enough to draw him back to Yale, where he graduated in 1857. In view of the services of Yale to early American literature, through the work of Trumbull, Barlow, Dwight, and others, it seems to be a most fitting coincidence that the two men to whose labors students of American literature owe probably their largest debt of gratitude — Prof. Tyler and Mr. Stedman — should both be alumni of that institution. It would have been still more fitting could either of them have accepted the chair said to have been offered by their *alma mater;* as this could not be, we must content ourselves with felicitating Yale, in this her bicentennial year, upon scholarly work in behalf of American literature that has not always received its full reward of praise.

After graduating, young Tyler studied theology at Yale and Andover, and in due time and with entire propriety, in consideration of his Connecticut associations, became a Congregational clergyman, the church at Owego, New York, being his first charge. From 1860 to 1862 he was a pastor at Poughkeepsie; but here his health broke down, mainly from

[1] I have been much assisted in this connection by an article on Prof. Tyler furnished by his colleague, Prof. J. W. Jenks, of Cornell, to "The Michigan Alumnus" for March, 1901.

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overwork, and in 1863 he went to England, where he resided three years. He was far from idle, for he lectured, wrote letters to "The Nation" and "The Independent," and, we cannot doubt, continued the studies that were closer to his heart than his parochial work. He also published (1864) a little book entitled "A New System of Musical Gymnastics as an Instrument in Education," which was followed up by "The Brawnville Papers" (1868)—volumes for which I have searched two large libraries in vain, but which I gather to have had reference to the deplorable neglect of physical exercise that characterized Americans, and especially American students, of Prof. Tyler's generation.

Returning to America with restored health in 1867, he became Professor of English in the University of Michigan. At this institution, which was then laying the foundations of its great reputation and influence, he did what must have been, from all accounts, admirable work as a teacher. Here, too, he won distinction as a historian when he published, in 1878, the first two volumes of his "History of American Literature," covering the colonial period. As was at once remarked, he had not only written the best book on his subject, but had practically created that subject; at least he had shown Americans that their literature, even in its formative and most unpromising period, was an integral part of their history and of immense value as an expression of their life and thought as a people. It is no wonder, therefore, that his volumes were heartily praised, and that he was encouraged to pursue what he had already chosen as his life-work. The main materials for that work being more accessible in the East — where he had not long before spent a year (1873–74) as literary editor of "The Christian Union," now "The Outlook" — he was naturally willing, in 1881, to accept the chair of American History in Cornell University, a position which he held until his death on December 26, 1900.

Here he continued to work upon his chosen task, making in its interests frequent visits to the most important libraries; for it was his ambition not to leave unread even a fairly influential pamphlet, much less any book that bore the faintest witness to the efforts of his countrymen to develop a national culture. It is to this scholarly conscientiousness of his that the comparative paucity of his writings is due. During the nineteen years of his service at Cornell he added but two volumes to his history — the volumes known as "The Literary History of the American Revolution," which cover only the twenty years from 1763 to 1783. Other instalments are understood to be almost ready for publication; and the little book, "Three Men of Letters," issued in 1895, in its essays on

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Timothy Dwight and Joel Barlow really gives us two of the most important chapters that a fifth volume of the *magnum opus* would presumably have contained. But when all additions are counted, it must be confessed that he made slow progress in comparison with many of his contemporaries and with most of his juniors. People who agree in part with Mr. Churton Collins' strictures on the facile work of many modern historians and critics of literature, although they may regret that Prof. Tyler hardly did more than construct an imposing vestibule to the magnificent edifice he intended to build, will be disposed, nevertheless, to honor his thoroughness, and to wish that it may find imitators.

Little more information of this preliminary and general kind remains to be given. To the list of his works must be added a memorial of Edgar Kelsey Apgar, printed for private distribution in 1886, a biography of Patrick Henry in the well-known "American Statesmen" series (1888), and a reprint of some of his newspaper letters from England, which appeared in 1898 under the title "Glimpses of England." If to the ten volumes already mentioned we add a revision of Henry Morley's "First Sketch of English Literature," we have what is practically Prof. Tyler's whole contribution to the literature of which he is the greatest historian, for his occasional publications in the magazines and elsewhere scarcely demand attention. Of the academic and other honors that came to him and of his domestic life we need say nothing; but it is worth while to mention that in 1881 he was made a deacon, and in 1883 a priest, in the Protestant Episcopal Church. It is hardly fanciful to maintain that this change of ecclesiastical connections had a good effect upon his literary work. His inherited Calvinism made him sympathetic with much that was best and most representative in colonial literature; his acquired Anglicanism helped him to perceive the limitations of early New England culture, and also to sympathize with the scantier culture of the colonies not blessed with a Brahmin caste.

Turning now to his major work, the four volumes of "The History of American Literature," with its little pendant, "Three Men of Letters," it is easy to perceive that its best qualities are its abounding sympathy and its scholarly inclusiveness. It has, of course, other merits. It is written in a style that is always clear and readable, and often attractive, although perhaps marred at times for some of us by a slight over-elaboration and by too frequent lapses into that harmless but somewhat irritating facetiousness that makes its existence known by the employment of needlessly sonorous, elaborate, and incongruous expressions. Another merit is the marked critical acumen shown in the treatment of

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certain writers — for example, Jonathan Edwards, whose kinship with the world's greatest spirits was admirably brought out by Prof. Tyler some years before the publication of Prof. Allen's biography. Perhaps just as great a merit is our enthusiastic author's ability to discover in some neglected man, whose writings lie buried in the publications of a learned society, a figure of historic interest, capable of stirring our moral, although perhaps not our æsthetic, emotions. This ability is displayed frequently in each of Prof. Tyler's volumes, particularly, for example, in the pages devoted to that noble historian and defender of the Christian Indians of Massachusetts, Daniel Gookin, a name neither euphonious nor famous, yet borne by a man worthier to be remembered than many a writer who keeps his paragraph in our histories of literature simply because no one is brave enough to turn his name into the limbo to which his works have long since been consigned.

But this last merit really brings us back to the abounding sympathy and the scholarly inclusiveness that were said to give Prof. Tyler's masterpiece its chief value. Many a forgotten worthy who ought to be honored lives in his pages because the historian who was so indefatigable a scholar in his researches never for one instant was tempted to play the part of a pedantic dry-as-dust. Naturally, however, such qualities carried with them their own defects. Prof. Tyler was frequently betrayed into enthusiasm over men and books that scarcely deserved a moiety of his encomiums. Not content with praising Francis Hopkinson's "Battle of the Kegs," which is still readable, he almost discovered enough merits in the clever little Pennsylvanian's imitative songs to rank him as a full-fledged poet. On the other hand, he discovered in Samuel Wigglesworth — what would Sydney Smith have said of this name when that of Timothy Dwight affected him so?—an elegist of no mean powers, and in the anonymous author of the epitaph on Nathaniel Bacon, the Virginian rebel, a real poet. The general public, whether in America or elsewhere, is not likely to profit greatly from these discoveries of Prof. Tyler's, because it rightly eschews the minor literature of the past, whether or not it reads the major; but this is no reason why competent readers and special students should not utilize Prof. Tyler's authentic rehabilitations of books and writers, at least to the point of repressing the supercilious tone generally assumed whenever our colonial literature is mentioned.

In this connection I may be permitted to remark that for some months past I have had Prof. Tyler's volumes constantly in hand, as well as a very considerable portion of the colonial and revolutionary literature with which they deal. I have thus subjected his work to

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stricter tests than are usually applied by the critic or reviewer; and I am able to bear testimony not only to his accurate scholarship, both in his special field and in the larger one of American history in general, but also to his wide knowledge of British literature, and to his ability to bring to bear upon the mass of literature he passed in review canons of æsthetic criticism which are in the main sound. It is quite plain that those critics who think Prof. Tyler too consistently eulogistic are frequently right; but it is equally plain that his readers can soon learn to discount the historian's praise in such a way that an approximate estimate of a writer's value can be easily obtained. In other words, Prof. Tyler's instincts and training as a critic were thoroughly good; he was not wont to single out for praise men and books that did not deserve it in fair measure. His tastes were sturdy and healthy, yet by no means lacking in delicacy; and when he did not like a piece of literature he said so frankly. The main defect of his criticism had its origin in a characteristic that did him credit as a man — his generosity. When amid the hundreds of dull and ephemeral books and pamphlets which it was his duty to examine he found something that still seemed vital, he was inclined to rejoice overmuch, and to eulogize the author that had lightened his task.

But who shall blame him? If anyone does, I should like to say in reply that I have more than once found myself, with regard to forgotten writers highly praised by Prof. Tyler, in much the same position as the proverbial persons who went to church to scoff and remained to pray. I remember that such was the case when I had smiled at the enthusiastic pages devoted to the Rev. John Wise of Ipswich. I turned to the two ecclesiastical treatises that had won the historian's admiration — not even their names need be given here — and, while I scarcely found the prose so Miltonic as Prof. Tyler had done, I did find myself in the presence of a noble writer of whose existence probably not one American in a thousand has ever heard. So it was with more than one pamphlet and book elaborately discussed in "The Literary History of the American Revolution" — volumes which in their general scope and their specialistic thoroughness represent Prof. Tyler at his best and fully entitle him to rank with the great scholarly historians of literature who were his predecessors, with Ginguené, for example, and Nisard, and Mure, and Ticknor. I do not know whether many readers of these volumes have been tempted to undertake the thirteen sermons which the Loyalist Jonathan Boucher (Mr. Locker-Lampson's grandfather) gathered into a diatribe against the Revolution that drove him to England as an exile; but I took

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Prof. Tyler at his word, read all the sermons, and had no reason to regret my confidence. There are, of course, defects in the work that will be more apparent to the special student than to the general reader. Prof Tyler frequently failed to trace the influence of British writers, especially of minor poets, upon their American imitators, or perhaps it would be better to say, assimilators. For example, the influence of Gray seems to be noted only in the case of Trumbull, that of Collins appears not to be mentioned, and the obvious imitations of Pomfret's "Choice" are overlooked. Then, again, occasionally he passes lightly over a writer who might have furnished him interesting material for comment. A case in point is that of James Ralph, whose career as a journalist has attracted the attention of Mr. Leslie Stephen, but whose early opposition to Pope and curious anticipation of many of the features of the later romanticism have been almost universally neglected. These, however, are matters of slight consequence, which would naturally escape a writer who was more interested in general culture-history than in the evolution of literature.

Enough, however, of my own experiences in following, afar off, in Prof. Tyler's footsteps. It is more important for us to endeavor to determine the main impression that this "History of American Literature," the unfinished but not fragmentary life-work of a true scholar, ought to leave upon careful readers. It seems to me that the main impression it should leave is precisely what its author desired — to wit, a more profound sense of the part democracy has played in American life and culture. If these volumes teach anything, they teach us that from the beginning Americans have wielded their pens for the greatest good of the greatest number. With rare exceptions our writers have consciously or unconsciously assumed the rôle of teachers; and even the most autocratic teacher fulfils a democratic function. Those to whom literature makes an æsthetic appeal only may be inclined to think that a work which deals chiefly with sermons, orations, political pamphlets, histories, and similarly utilitarian productions has no right to its title; but those who take Prof. Tyler's larger view of literature as the written expression of a people's spirit will perhaps find in the democratic "note" that pervades his volumes not merely a sufficient excuse for their existence, but a warrant for the belief that no adequate history of our country's literature will be written by any man who does not build upon the foundations so broadly and so firmly laid by his wise and patriotic predecessor.

Little space has been left for a discussion of Prof. Tyler's minor writings. This is a matter of no consequence with respect to his biog-

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raphy of Patrick Henry, the value of which has long been recognized. It is one of the best volumes of a good series, and it did a useful work in hastening that demolition of the Jefferson-Wirt legend which the late William Wirt Henry's elaborate life of the great orator, his grandfather, has, we trust, completed. Perhaps Prof. Tyler took a little too much delight in girding at the inaccurate Jefferson, and perhaps at times the facetious or unduly heightened style to which attention has already been called is too apparent; but a perusal of the book increases our regret that the "Century of American Statesmen," which, as Prof. Jenks tells us, was to sketch the careers of prominent public men from Jefferson to McKinley, remained, seemingly, only a literary project.

This regret is emphasized for the comparatively few readers of the memorial of E. K. Apgar by the high tone of political thought maintained in that unpretending book. How far the services of Mr. Apgar to the cause of good government in New York are remembered in his native State cannot be determined by a new-comer; yet it would seem that the man who almost deserves to be called the discoverer of Grover Cleveland was fully worthy of the honor of a memoir at the hands of a great historian. Unfortunately, the memoir belongs to that exasperating class of books in which use is made of "glowing newspaper tributes," with the result that the fine zeal for pure politics that characterized both Mr. Apgar and his biographer pales before the zeal of provincial editors for recounting the oratorical triumphs of their "gifted young townsman."

A more interesting and not less pathetic book is the last of Prof. Tyler's publications, "Glimpses from England." It is rarely safe for a foreign correspondent to collect his letters, especially after the lapse of thirty years, yet a sympathetic reader can scarcely regret the few hours spent in making himself acquainted with a volume in which a cultivated and patriotic young American recounts the impressions made upon him by the leading Englishmen of a generation ago. Gladstone, Bright, Disraeli, Mill, Spurgeon, Lord Brougham, and Mazzini, who almost counts as an Englishman, are among the figures that pass before us; and these would make interesting the letters of a less competent correspondent than Prof. Tyler. It is true that in these early writings there is that smack of the lucubration which is not lost in his later books, and which seems to have characterized most writers of his generation; but there is also in them evidence of a wider and sounder culture than is possessed by many modern authors who would blush to lucubrate, and there is a sturdy American independence much to be preferred to the colonial obsequiousness of contemporary Anglophils and to the spurious

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cosmopolitanism of our idlers and amateurs. It is this wide culture and thorough independence that make Prof. Tyler such an influence for good in American life and thought; and it is interesting to the student of his works to perceive that these fundamental elements are present in his writings from the first.

It is pathetic, however, to note how far our own generation, both in England and in America, has drifted away from the ideals cherished by the great men about whom the young clerical valetudinarian wrote with such sympathy and enthusiasm. Mill is pronounced antiquated by writers who may not survive long enough to incur this charge, and for Gladstone and Bright we have Mr. Chamberlain and Mr. Balfour. What we have substituted in America for the ideals of Prof. Tyler and his generation need not be enlarged upon here. It is permissible, however, to hope and believe that the noble spirit of patriotism, of scholarship, of loyalty to what was best in the past, and of trust in the future triumphs of the nation and the race, which always characterized this true man and admirable writer, will never be without their inspiring witnesses in this Republic which he so dearly loved, and especially in its literature, to the elucidation of which he gave his life. W. P. TRENT.

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WRITERS IN THE AUGUST FORUM.

MR. FRANK W. CLARKE was born in Boston in 1847. Graduated at the Lawrence Scientific School, Harvard University, in 1867. In 1869 was instructor in chemistry at Cornell, and from 1874 to 1883 Professor of Chemistry at the University of Cincinnati. Since 1883 has been chief chemist of the United States Geological Survey. In 1901 was elected President of the American Chemical Society. Is author of several scientific books and of many scientific papers. Has been a member of the Board of Management of Government Exhibits at the expositions of Cincinnati, Chicago, Atlanta, Nashville, Omaha, and Buffalo; also of the International Jury of Awards at Paris in 1900, where he received the ribbon of the Legion of Honor.

MR. CHARLES A. CONANT, the Washington correspondent of the New York "Journal of Commerce" and of the Springfield "Republican," was born in Winchester, Massachusetts, in 1861, and has been engaged in active newspaper work and in the study of financial and economic subjects. Is the author of "A History of Modern Banks of Issue, with an Account of the Economic Crisis of the Present Century," and a frequent contributor to the leading magazines. Mr. Conant was a candidate for Congress in 1894, and a delegate to the Gold Democratic National Convention at Indianapolis in 1896.

MR. HENRY GANNETT, born in Maine, in 1846, was educated in civil and mining engineering at the Lawrence Scientific School of Harvard University; graduating in 1870. From 1871 to 1872 was an assistant in the Harvard Observatory, and from 1872 to 1878 a topographer upon the Hayden surveys in the West. Was Geographer of the Tenth and Eleventh Censuses, and since 1882 has been Chief Geographer of the United States Geological Survey. Mr. Gannett has been a prolific contributor to scientific periodicals and reports.

MR. W. J. GHENT was born in 1866 at Frankfort, Indiana. Was apprenticed to the printer's trade at the age of thirteen, and was successively employed as printer, proof-reader, and literary worker. Is at present a regular contributor to the editorial and literary columns of "The Independent," and an occasional contributor to several other publications. Was one of the founders of the New York Social Reform Club in 1894, and editor of "The American Fabian" in 1897–98. In 1899 was literary manager of Mayor Samuel M. Jones's campaign for Governor of Ohio.

PROF. JAMES HOWARD GORE was born near Winchester, Virginia, in 1856. Studied at Richmond College, Columbian University, and in Europe. Was three times Commissioner General from the United States to International Expositions, and was twice sent abroad to make special economic investigations for our Government. Is at present Professor of Mathematics in the Columbian University, Washington.

MR. FRANCIS E. LEUPP, born in New York City in 1849, graduated A.B. and A.M. from Williams College, and LL.B. from the Columbia Law School. After a year or two of literary work was appointed in 1874 to an assistant editorship on the New York "Evening Post," then in charge of William Cullen Bryant. On Mr. Bryant's death, in 1878, Mr. Leupp edited the memorial volume published by the

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surviving members of the staff. Then removed to Syracuse, New York, to take editorial charge of the "Herald" of that city, in which he had become a stockholder. In 1885 sold out his interest in this newspaper and took up his residence in Washington. Having retained his connection with the "Evening Post," as correspondent and editorial contributor, throughout his stay in Central New York, he continued in the same relation in Washington; presently taking sole management of the Washington bureau. Was appointed by President Cleveland a member of the United States Board of Indian Commissioners, to succeed the late Gov. William E. Russell, of Massachusetts. This position he resigned in 1897. In addition to his professional and official work, Mr. Leupp has contributed to the encyclopædias and the standard literary periodicals and has written some handbooks of information on Civil Service reform.

MR. STUART ROBSON was born in Annapolis, Maryland, 65 years ago. For over fifty years he has been in active service on the American stage. In his boyhood was a playfellow of Edwin Booth and John Wilkes Booth. The three lads often gave theatrical performances in a barn in Baltimore, to the edification of the children of the neighborhood. His first part in a regular theatrical company was obtained when he was only fifteen years of age, in a play called "Uncle Tom's Cabin as it is." In 1877 formed a partnership with William H. Crane, under the firm name of Robson and Crane. Their union lasted over ten years, during which time they presented many notable successes, the most conspicuous being Bronson Howard's "Henrietta." In this play Mr. Robson appeared in his extremely droll impersonation of Bertie, the Lamb. Since the separation of Robson and Crane has appeared in several successes, including a revival of "The Comedy of Errors," "Mrs. Ponderbury's Past," "The Gadfly," and "She Stoops to Conquer." He is best liked in the "Henrietta," and it is on account of the general desire to see him in this eccentric characterization that he has consented to make an elaborate revival of the play the coming season.

MR. JOSE IGNACIO RODRIGUEZ was born in Havana, Cuba, in 1831, and settled in the United States in 1869. Is a Doctor of Philosophy and of Civil and Canonical Law. Was Spanish Secretary of the International American Conference in 1889–90, and of the International American Monetary Commission of 1891, and was unofficial adviser in Spanish Law to the American Peace Commission in Paris, in 1898.

PROF. WILLIAM PETERFIELD TRENT, born at Richmond, Virginia, in 1862, was graduated from the University of Virginia in 1884. In 1888 was appointed Professor of English and History in the University of the South, Sewanee, Tennessee. Is now Professor at Columbia University, New York.

MR. ALBERT WATKINS was born in Worcester, England, in 1848, and removed to Wisconsin the following year. Graduated from the University of Wisconsin in both the academic and the law department. Subsequently became interested in, and editor of the "Democrat," of Mineral Point, Wis., the "Tribune," of Sioux City, Ia., and the "Daily State Democrat," of Lincoln, Neb. Was always a strong advocate of "sound money." Was postmaster of Lincoln from 1885 to 1891. Opposed Mr. Bryan on the silver question as early as 1892, and quit the Democratic party in 1896 on that issue. Was a delegate to the Indianapolis Convention of 1896; acting as a member of the sub-committee on platform, and taking an active part in drafting resolutions.

MR. HENRY LITCHFIELD WEST, a native of New York, is one of the best-known and ablest writers on political subjects at the National capital. For a number of years has occupied an editorial position on the Washington "Post," in charge of the Congressional and political work.

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